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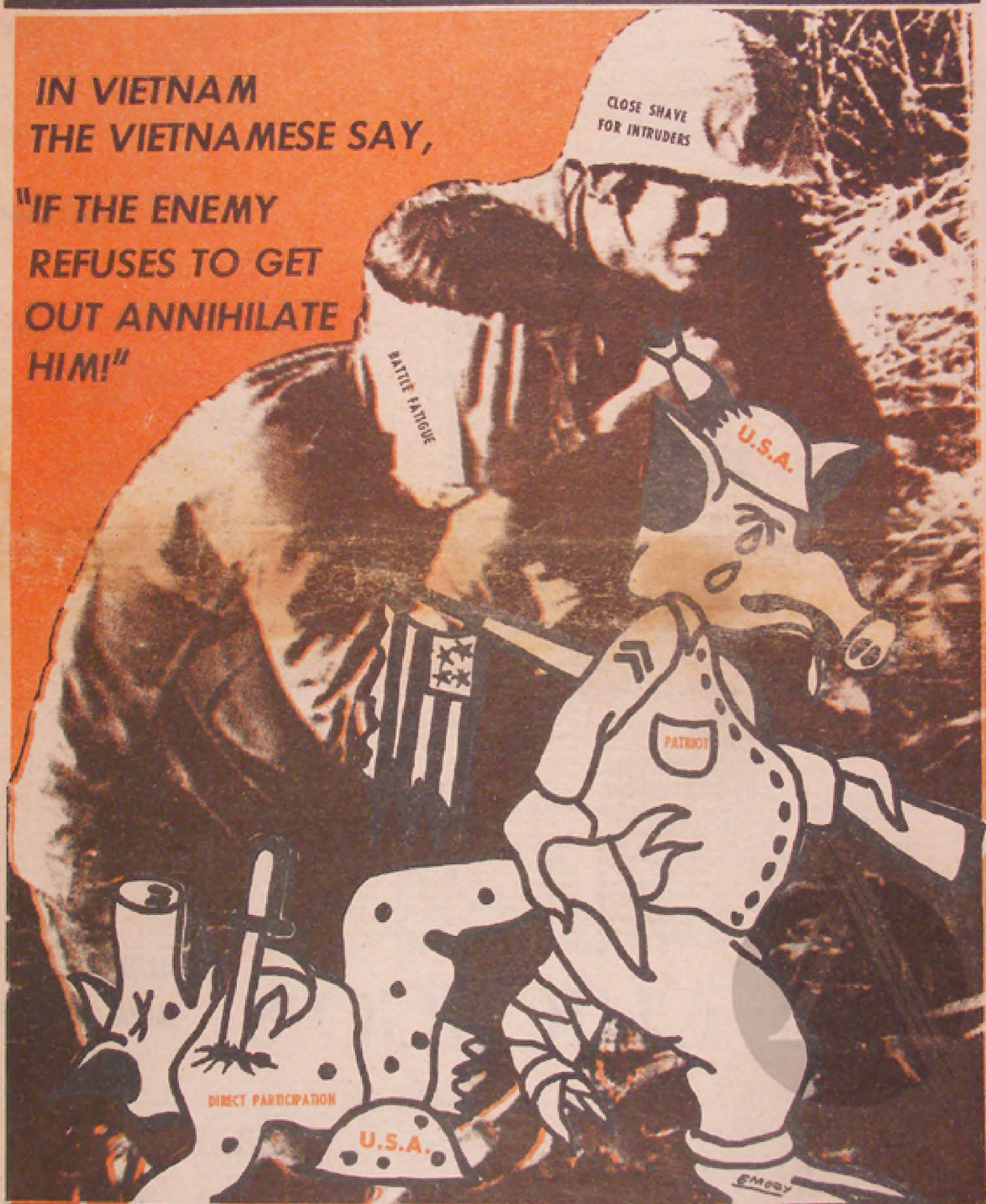
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THE BLACK PANTHER PARTY

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IN VIETNAM
THE VIETNAMESE SAY,

"IF THE ENEMY
REFUSES TO GET
OUT ANNIHILATE
HIM!"



INSIDE
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FREEDOM CANNOT BE GAGGED!

By Tom Hayden

What is now taking place in the federal courtroom where we of The Conspiracy are being tried is a repeat of what occurred in the streets of Chicago at the Democratic convention last year.

Now as then, police and government officials are creating a virtual riot. One has only to look across at co-defendant Bobby Seale, bound and gagged by order of Judge Julius Hoffman, to realize who is manufacturing the disorder.

As during the convention when thousands of demonstrators sought to register their protest to the war and the Democratic party in power, the government is denying us fundamental constitutional rights. In Seale's case it was the right to defend himself after Hoffman refused to delay the trial a few weeks until attorney Charles

cago during our confrontation in late August.

The eight of us are being charged with "conspiracy to riot" during the convention. If convicted, we each face \$20,000 fines and 10 years in jail. In addition to Bobby Seale, the defendants are Dave Dellinger, Abbie Hoffman, Jerry Rubin, Renaldo Davis, John Froines, Lee Weiner and myself.

Here's how Hoffman nailed Bobby Seale:

Bobby came into the court Oct. 29 ahead of the judge and jury. He saluted Panthers and others in the gallery and gave a short speech. He said he would stand on his constitutional right to defend himself in the court. Several times Bobby told his listeners to "cool it" no matter what happened. He then sat down and waited for the

of the trial and he should sit silently from now on. This position amounts to having Bobby return to the status of legalized slavery in the absurd expectation that in three or four years an appeals court will uphold his right to defend himself. Bobby wants it stressed that he was not disrupting the court, but attempting to hold onto rights which are his as a Black man and a citizen.

As the trial began, Bobby demanded the right to cross-examine the witness on the stand after our lawyers--Kunstler and Leonard Weinglass--had finished.

Seale and Hoffman were having an angry interchange when U.S. Attorney Richard Schultz bounded to the lectern, waved his finger at Seale and told the judge that before court had begun that more-

ley" placards last year.

Then came the gagging. No matter how prepared we were for it, everyone--even most newsmen--found it unbelievable and emotionally intolerable. But the gagging also demonstrated once again that the spirit of the people was greater than the man's technology: Bobby wasn't silenced.

When court resumed two Black marshals carried Bobby into the courtroom, his ankles and wrists manacled to a metal chair and a single piece of cloth like a large handkerchief pulled across his open mouth and tied behind his head.

When the judge brought in the jury it was clear several of the jurors were emotionally shaken. Even the government representatives seemed desperately uncomfortable.

Bobby almost immediately began to speak, once again demanding his constitutional rights to defend himself. The tone of his voice was muffled; that only added to the drama. The judge instructed marshals to improve the gagging. From Wednesday afternoon until Friday morning marshals (and one supposes various specialists and scientists) attempted to construct a perfect gag and continually failed.

Seale was next brought into the courtroom in a wooden chair with leather straps around his ankles and wrists, presumably to stop the sound of the clanking chains, but it only made Bobby appear to be in an electric chair. Over the original cloth gag, the marshals began to add more cloth, one inch wide strips of adhesive tape and gauze stretch bandages. They were bound over the top and back of his head and tied under his chin to keep his mouth closed.

On Oct. 30 Bobby attempted to loosen his left arm and scribbled a note that his circulation was being cut off. The note was given to Weinglass who told the court that Seale had difficulty with circulation in his left arm, requesting the straps be loosened. While the marshals were loosening the strap on his left arm, Bobby muttered and shook his head violently to indicate his pain.

Then, the police riot began. The marshals struck him in the groin, in the chest and in the face with short punches or elbow blows. Jerry Rubin was hit in the face by a marshal's elbow as Jerry tried to point out the violence that was taking place.

Seale was then removed again. The jury which had gone out just as the violence began, did not see the beating.

When the jury came back in, Renaldo Davis stood and told them Seale was beaten and tortured out of their presence. Hoffman again sent the jury out.

By Friday Oct. 31 it was clear the trial was heading toward an explosive climax. Seale scribbled a note saying he was now being subjected to cruel and unusual punishment because his blood circulation was being cut off and his

breathing made difficult and he was running a fever because the gagging was irritating a nasal condition he had. Conspiracy attorneys made a motion that the trial be recessed so they and two defendants--Rubin and myself--could fly to San Francisco to consult with Garry about the next steps in dealing with the crisis.

With great reluctance, the government and the judge allowed the recess. Hoffman warned us against making press statements because he did not want to be in bed watching television and see himself or the government vilified. I said that the purpose of the trip was to see what could be done next in resolving the crisis but that I would not be gagged.

The meeting in San Francisco involved members of the Panther central committee and representatives of the firm of Charles Garry. Attorney Arthur Kinoy was also there from New York.

Garry resumed practice on a part time basis Oct. 29, but even this present level of activity runs against the wishes of his doctors. There is no possibility of Garry entering a rough and tumble trial on a daily basis until mid-November or later.

Even if Garry were well, however, we feel that this case has been so hopelessly prejudiced that his coming would only be a tranquillizer for the judge--not a step toward a "fair trial."

Garry's position is that the trial should be dismissed or that at the very least, Seale should be allowed to defend himself and that the government is entirely to blame for what has happened. The Panther Party position is that the case is a clear demonstration of the lack of justice for Black people.

Our meeting on the coast exhausts at this point any faint hope the government might have had for using Garry to get itself off the hook. The government must now escalate the gagging of Bobby, remove him from the case, move for a mistrial or what is perhaps most likely for a while at least, attempt to go ahead with the spectacle, hoping that Seale and Garry will get the blame.

In the meantime Garry and many other lawyers are joining in a suit in a Chicago district court to dismiss charges against everyone or let Seale defend himself. The suit will be filed Nov. 4, if denied, they will appeal.

As for the Conspiracy, we are aiming our struggle at the Nov. 13-15 antiwar demonstrations led by Renaldo Davis and Dave Dellinger on the two coasts and a march on the Justice Department Nov. 15 to stop the trial and free Bobby.

On the East Coast it is really necessary to tie the Nov. 15 demonstration to the trial. There should be actions on the 13th and 14th at federal buildings throughout the country to stop the trial.

We think the entire trial is such a travesty--from the nature of the law, to the way we were indicted, to the proceedings inside the courtroom--that it is completely illegitimate. To say "Stop the trial" or to say "Free Huey" is really to say that there is no such thing as a fair trial possible for political dissenters and ideological crimes.

Reprinted from

GUARDIAN

STATEMENT - THE SANYA LIBERATION COMMITTEE

We 20,000 Sanya workers firmly support the struggle of the Black Panther Party. The people of Japan and the U.S. will win over the state power in their struggle against U.S. imperialism. We demand the immediate release of Mr. Bobby Seale, the Chairman of the Black Panther Party who is being unjustly detained by the U.S. authorities. We believe that the struggle of the Black Panther Party is also the struggle of our Sanya workers. We sincerely hope we will struggle hand in hand until victory.

Sanya Liberation Committee

Shinji Tamura, Chairman

We also express our warmest solidarity with all members of the Black Panther Party.



Garry, Seale's chief attorney, recovered from an operation. When Seale and the seven other Conspiracy defendants insist upon exercising this right, they are accused of disrupting the judicial process.

Again, as during the convention, a near police state obtains. Chicago police and U.S. marshals have taken over the entire federal building "to preserve order," as though the forces of disorder were to be found in front of the judicial bench, not behind it. It has become a truism: whenever threats, denial of basic rights and police state machinery fail to break the revolutionary spirit, a police riot takes place--in this courtroom as in Chi-

cago during the first days

of the trial to begin. The Panther leader--the only one of us who is Black--barks back to a law passed during Reconstruction to substantiate his demand that he be allowed to defend himself. Hoffman insists that our lawyer, William Kunstler, is Seale's lawyer, too, but Bobby insists--without antagonism to Kunstler--that his choice is Garry. Failing that, he prefers to defend himself. His defense is, or was, simple. He only spoke when his name was mentioned by a witness or when the other attorneys had finished cross examination.

The government position is that Seale made his point for the appellate record during the first days

ing Seale had told his followers in the courtroom to be ready to attack. Seale slammed his hand on the table and shouted: "You know I told them to cool it. You're a liar."

At this point the judge ordered marshals to seat Seale. They threw him down into his chair twisting his arm. Court soon recessed and the judge warned Seale he would be dealt with appropriately.

After the recess, nearly all Blacks, hippies and underground pressmen found that their places in the courtroom had been filled by a gallery of middle-aged people who seemed to resemble most the political hacks who filled the convention with "We love Mayor Da-

for only what he is entitled to under the constitution, that being: the right to cross-examine witnesses, the right to represent himself or have a lawyer of his own choice. All these have been denied. Judge Hoffman is truly a "blatant racist", for he has denied them to Bobby.

Judge Hoffman, merely Tricky Dick's "Stinky", is trying to have the trial labeled a mistrial, drop all charges and prevent the inevitable, an appeal to the higher courts. They realize that if this so-called riot conspiracy law was ever tested for constitutionality it would not survive. It is an obvious denial of the free speech amendment.

The purpose of the trial as

everyone knows, is to make it appear that the violence of last year's demonstration was planned by the eight now on trial, this is utterly ridiculous and completely unfounded. The denial of the eight, Bobby Seale in particular, the right to cross-examine witnesses is an obvious attempt to cover up something. Whatever is trying to be hidden must be vital to the court because they are denying those on trial their constitutional rights.

A conspiracy does exist however, a governmental conspiracy of suppression of political activists Black and White who are bent on kicking the racists, the capitalists and others who would not grant self-determination to people, out of places of power. The evas-

of the world are on this court thanks to Chairman Bobby's undaunted cry for justice, credit must also be given to Judge Magoo, for his inability to cope with Bobby's cry, he has shed much light on the suppressive policy of Tricky Dick and his running dog flunkies. People are not going for all the bulls--t America preaches, the inconsistencies are becoming clearer and the people of the U.S. (oppressed peoples) are forming a proletarian internationalistic force that will rise and crush the pig power structure.

ALL POWER TO THE PEOPLE!

John Coleman

THE CHICAGO 8

Anyone who has closely been following the trial in Chicago now must realize that Fascism is running rampant in courts where political prisoners are being tried. I have been following the trial closely and the proceedings of that kangaroo court under the direction of "Judge Magoo" has hardened my stand behind the Black Panther Party and I am quite certain it has also won the vanguard party increased support.

Chairman Bobby, has made evident by the treatment he has received, to the whole of America what has been known by many Black brothers who have come in contact with justice in a racist society, a fair impartial trial is impossible. Chairman Bobby asks

JUDICIAL TERROR POSES AS LAW AND ORDER

by: William L. Patterson

The judicial wing of American ruling class democracy again stands before the world naked and unashamed. Bereft of any semblance of justice or morality, it seeks to hide its class and racist character by demanding observance of and obedience to the "sanctity of the Law." Four hundred years of legal sanctity has left Black America stripped of his inalienable human dignity and White America stripped of any trace of humanism by a class that has never possessed either the one or the other.

cause celebre. Its grave significance lies in the fact that both Court and prosecution are using this case as the spearhead for mounting a drive in the courtroom upon "due process of law", constitutional guarantees, human dignity and rights and peace.

The case cannot be isolated. Its background makes isolation from the mainstream of struggle basically to change the course of American democracy an impossibility.

The indictments charging conspiracy to incite to riot flows out

curity where the wages would leave something for the rainy day. They wanted an America for the people. Their efforts failed momentarily. Their democratic demonstrations were smashed by a police, trained for and systematically incited to use force and violence against the people.

As the masses were beaten they persisted in the attempt to voice their grievances. Mass arrests followed. Rioting was charged, instigated the indictments alleged, by the "Chicago Eight". It was a conspiracy of City, State and Federal governments, a conspiracy to quell the people's fight to put an end to aggression wars. Mass arrests followed. The eight were indicted as the ruling class determined to carry its terror into the courtroom.

Judge Julius J. Hoffman was assigned the task of legally instituting the terror as a responsible instigator would.

There are lessons of inestimable value in this trial but one stands above all others. White progressives are learning what Blacks have long argued, that terror, force and violence will be their lot unless they stand and fight for the enforcement of the Constitution where the rights of any American are endangered. And for a peoples victory what is historically imperative is the unity of the people.

Here in this Chicago Federal Court is a classical example of what City, State and Federal officialdom means by "law and order". Law and order, by those in power in that branch of government that is declared to be dedicated to justice and equality. Here is American fascism in its nascent form as it develops on the judicial front.

The eight defendants led by Bobby Seale have not been docile observers to a judicial trampling on constitutional rights. They have not seen their arrests and this mockery of a trial as an isolated phenomenon. For them the trial has become a vital phase in the fight of all for which they stand. They came to Chicago to fight, to protest, to cry aloud. Seale hopes to awaken the American people. He has made the courtroom a battleground of the Black liberation struggle. He has emerged on the fighting front of democracy as a national figure. He has linked his battle against racism, that of his people, that of progressives with the fight for world peace and the liberation of all people.

He has shown how to mount an offensive struggle in a court of law.

so-called. As usual, the object of the court's rage is the Black defendant. His leadership in the fight of the defendants to safeguard and protect American democracy in a court so-called "law and order" is an inspiring thing. Those who rule our country have tried to give an aura of righteousness to their courts. They proclaim this institution's absolute impartiality. An air of sanctity envelopes judicial chambers. One must pay obedience to the court, stand when the judge arrives, stand when he leaves and address him as "Your Honor."

The history of the treatment of Black Americans in court where it has been openly asserted that Blacks had no rights that Whites need observe, not even that of life itself, offers classical refutation of the Court's integrity, honor and common decency.

Bobby Seale has carried the offensive mounted in the streets by Black militants in their magnificent struggles against racist tyranny into the courtroom and with a savagery rarely exhibited in an American courtroom even against a Black man. The court has directed that he be gagged and chained. Seale demanded as his RIGHT, counsel of his choosing. In lieu of that he demanded as of right, to be permitted to defend himself, to cross-examine the government's paid witnesses, to question decisions. A Nazi court had offered George Dimitrov, a communist leader no less, as Dimitrov stood before that body condemning Nazi criminality before the world. Seale challenges the criminal racist policies that those who rule America have made a way of life abroad as well as at home.

The hour to end racism in every phase of the life of our country and the relations of its citizens one towards another has come. The case of Bobby Seale cannot be isolated from the fight for an America governed by men of peace and domestic tranquility. The case of Bobby cannot be isolated from the American life lest it recur tomorrow. The conduct of our courts must be determined by the needs of the great masses, that their interests be zealously and jealously protected, that the nation may be unified and its security made secure.

The Hoffmanns must go. The Raynesworths must not emerge. The indictments in Chicago must be dismissed, the constitutional rights and human dignity of men and women who stand before a court must be relentlessly defended else their legal rights inevitably be denied. The value of Black-White unity in struggle has been demonstrated in the Chicago courtroom where a Black American takes the lead in a defense of our cherished rights and the fight for the unification of all progressive forces in the interest of national security.

STATEMENT

German SDS

At the present moment the ruling clique of the U.S. is trying to destroy the Black Panther Party by means of brutal terrorism. Open attacks on the streets, jail without legal justification, plans for the violent occupation of the Black Panther Party headquarters, and murder of the comrades working there—the imperialist state starts with open terrorism.

We have been educated by German history that the fascist murderous gang began its work when the contradictions within imperialism sharpened and the bourgeois-democratic system was no longer capable of reconciling them.

U.S. imperialism today is facing defeat by the heroic Vietnamese people's fight and the revolutionary movement is spreading all over Asia, Latin America and Africa. The imperialist rivals profit from the Vietnamese war; there is no more money to build up the facade of the welfare state. So the whole power structure is depending on the successful attempt to destroy revolutionary movements in the U.S. from their very beginning. The Black Panther Party will continue its revolutionary work even if the whole present leadership is put in jail. The Party is one with the masses, and expresses their needs and formulates these as a clear program. Because the Party is serving the people, it has inexhaustible sources for fighting within the Black community. The Black masses now know that their destiny under imperialism is to die on the battle field or to starve as members of the industrial reserve army (unemployed).

To the contrary: The persecution of the Black Panther Party comrades is convincing the other oppressed people in the U.S. to organize themselves and to fight within a United Front Against Fascism.

We, German SDS, will do our best to make these facts clear to the German people. Some has been done in West Germany by convincing Black people not to die in Vietnam. We shall invite the comrades of the Black Panther Party to West Germany this winter and we shall organize demonstrations to support them. We shall sharpen our own fight against imperialism which will be the best help we can offer to the struggling peoples.

ALL POWER TO THE PEOPLE!
Christian Semler, German SDS



WILLIAM PATTERSON

The scene unfolds in the Chicago courtroom of Judge Julius Hoffman. He is presiding in the case now universally known as the case of the "Chicago Eight." There are eight defendants. One of them is a Black man, a Black American, a Black human being in a country where racism is a policy of government. Bobby Seale is the co-founder of the Black Panthers for self-defense now known as the Black Panther Party.

The trial has worldwide significance for as goes the democracy of the ruling class of the United States so may go the fate of mankind. The case thus becomes a

of the challenging attempt of thousands of citizens of the U.S.A. Black and White alike to secure from the Platform Committee of the Democratic Party's Chicago Presidential Campaign Convention of 1968 a platform reflecting the vital interests of the people regardless of creed or color as opposed to the interests of monopoly capital. The people were demanding a peace plank. They wanted an end to the racist practices that characterize America's major parties conventions, they wanted adequate schools and housing, efficient hospitalization and above all—security, job se-

DOUBLE EXPOSURE

The repression and fascist tactics perpetrated against Chairman Bobby Seale were so outright and brutal that the most vile curse word in any language cannot describe such treatment.

Bobby was not permitted the right to his choice of counsel and then when he asked the court (under the fascist, racist dictates of Judge Hoffman) to let him exercise his constitutional right of defending himself—he was denied by Pig Hoffman. In desperation, the Chairman began to show to the whole world how the Pigs of the Power structure were actually railroad him—were making it possible so that Bobby would be convicted on the trumped-up charge, "conspiracy to incite a riot by crossing state lines." Bobby, trying to exercise his right of cross-examination which was repeatedly denied, started calling Judge Hoffman a racist, fascist pig. At this time Bobby was put through cruel and inhuman torture of the likes that was not even done in Nazi Germany under the mockery of a trial. Now Bobby Seale, Chairman of the Black Panther Party, victim of fascist America, has been sentenced to four years

of imprisonment for "contempt of court." Four Years!

I work for a United Bay Area Crusade Agency, the Bay Area Urban League. The members of our staff in one of the component offices saw an urgent need to come out with a statement denouncing the treatment of the Chairman of the Black Panther Party. All the directors of all the component agencies got together and presented the statement to the executive director. When it was mentioned to the executive director, he stated that the League couldn't take a position until after the "election." This is very key to point out how the Directors of Establishment funded programs are made to become puppets of the power structure. You see, the real reason why our executive director could not come out with a statement immediately is because he has to answer to a Board of Directors. And who is on the Board? Key people from the oppressive ruling class. If the executive makes a stand on something that is considered "controversial" by the Board, he is most apt to lose his job, status, and career. Now Bobby Seale is facing a

four year jail sentence, and also a murder trial is awaiting him in Conn. If the fascist Power Structure was this brutal to Bobby because of a "conspiracy to incite a riot" charge, you know they have something a thousand times more tortuous and heinous awaiting him in Conn.

Now is the time to actively speak out against these fascist tactics. By not speaking out against such acts of oppression, is only maintaining and supporting the same Power Structure. The same fascist racist pigs (like pig Hoffman) who have a set plan of repression for all poor and oppressed peoples of the world! These people who are worried about their jobs, status, and careers are the same people who, when the pigs of the ruling, oppressive power structure are through with their services, will stomp on them and throw them aside like used toilet paper.

We say Revolution is our Life-time

ALL POWER TO THE PEOPLE!
Lealie Johnson

BENEFIT FOR NAT'L. COMMITTEES COMBAT FASCISM AND TO FREE CHAIRMAN BOBBY SEALE

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TRIBUTE TO



BOBBY SEALE

There sits a man in a cold empty cell.

He is isolated, isolated from the other inmates.

He is denied proper living conditions.

His health grows worse and worse.

He is MADE to attend that flimsy session.

That session where he must listen and smell the farts

OF PIG FASCIST JUDGE HOFFMAN.

Brothers and sisters his name is Bobby Seale.

He is Chairman of the people's army.

He has significances to all oppressed people.

He is a man in the fullest sense.

He has done and is still doing all he can.

Brothers and sisters.

Brother Bobby loves the people.

He believes in complete freedom, justice, equality, liberation and peace for all oppressed people.

He is a revolutionary.

He stands in solidarity with Mexicans, Puerto Ricans, Black people, Indians and poor exploited Whites.

He stands with everybody who is in need of freedom.

He is laying his life on the line for the people.

What greater gift can a man give.

Malcom X (El Hajj El Malik El Shabazz) beams through him.

He is one of Malcom's beloved sons.

He will keep on doing for the people.

Never giving thought of himself.

So faithful, bold, strong and true.

This is the spirit of Comrade Bobby G. Seale.

The people continue.

The oppression continues.

Bobby Seale will still be there.

And when the people achieve total victory.

They will remember and love that brave Black man.

CHAIRMAN BOBBY SEALE.

ALL POWER TO THE PEOPLE.

BLACK PANTHER PARTY.

White Plains Branch, N.Y. 10601.

James White Worth Jr.

MARTIN SOSTRE LAUNCHES HIS
ATTACK ON THE RULING CLASS

New York (LNS) -- "Raise your right hand", said the clerk of the court. Martin Sostre raised his fist, took the oath, and began his prosecution of Nelson Rockefeller and three state prison officials for "cruel and unusual punishment" of prisoners. For Martin Sostre, the trial on October 29 was the product of ten years of struggle both in and out of prison against America's racist power structure. For the exploited people of America, it is a unique symbol of an oppressed man rising up against his supposedly unresolvable enemy.

Nelson Rockefeller is used to putting Black people in jail, but he's not used to being brought to trial by one of them. Nor is it common that the wardens, like Harold Follette of Green Haven Prison, who order the tortures and harassment of prisoners, are exposed and brought to trial. Sostre's determination brought him through four years of solitary confinement from 1960 to 1964. He was put there after he had successfully taken action against the wardens of Attica State Prison to allow distribution of Black Muslim literature and practice of Islam. In 1968 he was thrown back in prison and put in solitary for thirteen more months on a phony narcotics charge. (He was really arrested because he was a community organizer during the 1967 Buffalo Black rebellion.) Both of these punishments were designed to keep him from circulating among the prisoners and advising them of their rights.

Sostre was on the stand all day on the opening of the trial, giving evidence about his mistreatment and the mistreatment of other prisoners by the warden. He and his attorney, Victor Rabinowitz, produced nearly twenty letters that had been tampered with by the prison officials; letters written by Sostre that were never sent, and censored letters that were delivered to him. Sostre was calm and unemotional as he described his experiences at Green Haven Prison.

As soon as he arrived at Green Haven, he was put in solitary confinement, a punishment that indicates that they knew who he was and they had special plans for him. But "cruel and unusual" punishment is not so unusual in prison, and Sostre related the story of a man in the next cell.

Sostre had been communicating with him through the wall and found out that the man's ankle had been injured (possibly broken) by a guard. Sostre counseled him to register a complaint with the warden. One night soon after, Sostre heard guards enter the man's cell and beat him. The next morning

Sostre was told that the man had "committed suicide."

In solitary confinement a man is confined to a small cell with only a bare electric bulb that stays on all the time. He is allowed out only one hour a day for exercise, deprived of any work program or reading material, allowed to bathe and shave only once a week, and a guard awakens him every half hour at night.

The defense attorney, Walsh, tried to object to as much of the evidence as possible. For example, he said that it wasn't clear that letters which had been partially blacked out or cut and scotch-taped had been censored, and he insisted that the identity of prison guards (who don't wear badges) be given before they are quoted. It was clear, however, that his objections could not stop the prosecution. He looked more and more uncomfortable as the evidence accumulated and as the judge overruled his objections.

During the cross examination, Walsh tried to prove that Sostre had not received unusual punishment. He succeeded—and in doing so, proved conclusively that brutal and unjust punishment is widespread and that Sostre has been mistreated by New York's prisons ever since he entered them in 1962.

Walsh has the support of the state government behind him, but he cer-

tainly didn't have the courtroom behind him. The seats in back were filled with Sostre's supporters. When Sostre came in, he saluted them with his fist and talked with some of them over the barrier between the spectator benches and the center of the court. When Walsh came in, he frowned on the scene of nearly a hundred people, about half of them Black and most of them young, who were frowning at him while waiting for Martin Sostre and Victor Rabinowitz to tear into him.

At one point, Walsh submitted a packet of Sostre's revolutionary writings taken from his cell and asked him if they were indeed his writings. Sostre replied that they were except for the last sentence which, he said, was obviously a well known quote. Sostre was asked to read the sentence. Heread, "Political power grows out of the barrel of a gun". Walsh was puzzled.

"Who said that?" He asked. "Mao Tse-tung", replied Sostre, and the courtroom broke out laughing.

Judge Constance Baker Motley, a Black woman, seems to have some sympathy for the case; she granted the original preliminary injunction releasing Sostre from solitary in September. Judge Motley wrote at the time: "A preliminary injunction is an extraordinary remedy which should be

issued only upon a clear showing of probable success and possible irreparable damage to the moving party". But she is still a federal judge, and federal judges are appointed by the government. Martin Sostre's case has already resulted in the firing of the editor of the Boston Globe for an article on Sept. 8 exposing his frame-up and political imprisonment, so it appears that there are higher authorities directing the case.

There was excitement in the courtroom because the people there were with Sostre, as were the 250 people who picketed outside the courthouse before the trial. The pickets, organized by Youth Against War and Fascism, were demonstrating in support of all political prisoners with banners saying "Free Huey", "Free Bobby", "Free the Conspiracy" and just about every other major political prisoner.

In the arena of political trials, Martin Sostre stands out because he is on the offensive, he is prosecuting the men and the class that are trying to put him and his brothers away. It may even be possible for him to win some concessions on procedures for placing prisoners in solitary. But more importantly, Sostre's case will serve as an example of defiance—where one man has isolated the enemy and commenced the attack.



THE PEOPLE DEM. IN SUPPORT OF POLITICAL PRISONERS

Can Capitalism Exist Without Racism?

NOW! "The evil system of colonialism and imperialism arose and thrived with the enslavement of Negroes and the trade in Negroes, and it will surely come to its end with the complete emancipation of the Black people." — Mao Tse Tung

The terms capitalism plus racism breeds fascism has a very deep and significant meaning upon the masses who suffer under such evils.

First, analyzing the term "racism", we find it was actually used as a deceptive piece in the form of demagoguery to deceive the masses as to the real motive of the ruling class. In order to use Black people, in the oppressed conditions in which they lived in and are still living in, the ruling class had to justify the reasons why they keep Black people bound and shackled to the land on which they were enslaved. Racism, being manifested in such examples as Black people were lazy, shiftless, inferior mentally and being born with a taint is bred in one ethnic group from the manifest destiny of slavery, was an

easy outlet to their (oppressor) that were created by pigs to serve real motive for the oppression of Black people. Black people were a source of free labor!

In looking objectively at capitalism, we find that once racism was solidly implanted in the minds of the people as a justification of slavery, the oppressive pigs began to expand the area of exploitation to other ethnic groups in an attempt to create conditions wherein there would be complete social and economic subjugation on the part of the American people as a whole.

The pig power structure perpetrates racism as a tool to divide and conquer. By not only depriving oppressed people as a whole, the ruling class also creates racism amongst various ethnic groups by granting it a few more dollars, in the form of poverty programs, to one ethnic group in order to paint the picture of "favoritism." The result is that left for the pig oppressor is to attitudes of antagonism and disunion—unless a reign of terror, in the form of the police force and the

Because the Black Panther Party is the Vanguard organization leading the struggle for liberation in the correct manner in Babylon, because the Black Panther Party has made it plain to the masses that the fascist ruling class uses the pretext of defending the national interest to carry out the class policy of oppressing and exploiting its own people, as well as robbing and enslaving and murdering other people. Vietnam, Latin America, Asia, Africa, etc., the fascist is a dangerous threat to him and the rest of the ruling class power.

Combined with the fact that "Adolph" Hoffman has direct interest in the Vietnam war and he is a Native American, racist, he knows that Bobby Seale is a dangerous threat to him and the rest of the ruling class power. Now that the people are hip to the madness perpetrated by these "do-gooders", there ain't no place to hide. The people will not forget who man at the helm of the conspiracy to destroy the Black Panther Party, ing starts.

open fascism has blatantly entered the courtrooms in the guise of "law and order."

RIGHT ON BOBBY! SEIZE THE TIME!

Richmond Branch, Black Panther Party

FROM THE B.P.P. SOLIDARITY COMMITTEE COPENHAGEN, DENMARK

The following is a list of events which have occurred within the last three weeks challenging the staid and comfortable social democracy of Sweden and Denmark: Stockholm, 30 September. The Swedish foreign minister, Torsten Nilsson, announced at the Social Democratic party congress in Stockholm, that the Swedish government would give North Vietnam 200 million Swedish crowns, over a three year period, as an aid in the rebuilding of the country. Furthermore, he stated in his speech that the Swedish government would shortly make yet another attempt to get Greece excluded from the European Council.

Immediately after this announcement the Swedish firm Copier Works - a firm which dates back to before Columbus - stated that they had lost a 200 million (Swedish crown) contract with an American firm. However, the Swedish firm's American representative says that the contract was not final. The negotiations were actually made between a Canadian subsidiary of the Swedish firm and an American firm.

October 1st, Olaf Palme was elected as Tage Erlander's political successor at the Social Democratic congress and shortly afterwards he assumed duties as Prime Minister. Olaf Palme is the man who, eight months ago, took part in a Vietnam demonstration together with the North Vietnamese Moscow Ambassador. After this America recalled her Ambassador to Sweden and since that time the residence of the USA Ambassador in Stockholm has remained empty. Palme himself says that he does not believe that the reason America has not named a new government, "That would mean," he states, "that the American government should break off (diplomatic) relations with Greece, Spain, Bulgaria, South Africa, and all the other countries whose undemocratic regimes they do not sympathize with."

October 7th, the Danish parliament opened its yearly session with an opening statement by the Prime Minister. According to the Danish constitution the Danish P.M. has to open the yearly session of parliament with a statement concerning the general state of affairs in the country, something like the American President's State of the Union message. However, the P.M.'s statement is then debated in an opening debate which begins two days after parliament has officially opened.

The political spokesman from each political party may speak, after which any member of parliament who wishes to speak may do so. This is then followed by speeches from the ministers and then the political spokesman and individual members can speak again. This speaking arrangement is important because it gives

large as well as small political parties an equal voice and the public and press turn out in full strength for the occasion. The Left Socialist's political spokesman, Erik Sigsgaard, in his contribution to the opening debate in parliament October 9th, had a great deal to say about Denmark's relationship with the USA. He mentioned that although no Dane is in doubt that Poland and Czechoslovakia are deeply dependent on the Soviet Union it is more difficult for them to realize that Denmark is also just as deeply dependent on its super power, the USA, but that Danish politicians, bookkeepers, or Danish meatball Toms, have learned literally how to mold themselves in order to escape American wrath.



ERIC SIGSGAARD

Sigsgaard then goes on to say, "The dependence grows each day proportionally with American firms as they get greater economic power in Denmark. It is therefore reasonable to be interested in that superpower which directs the development here to such a great degree, and it is necessary because most of the press systematically refuses to disclose much of what is happening in the 'USA'." He then goes on to describe the circumstances around the trial of the Chicago Eight, lists the persecution of the Panther Party with examples of the April events and names the arrest of Bobby Seale.

He continues: "In spite of the fact that the persecution of the left wing forces is very open it is hidden nevertheless in the Danish press. It does not only include the Panther Party.

Politically active students have been thrown out of their universities throughout the entire land. Many are serving long prison sentences. A ban can be expected against SDS and the BPP. The black population on the whole is persecuted. The labor unions have also begun to be subjected to terror. Lately, the pickets in five large cities have been attacked by police forces called upon, as it is called, to protect the factories' function. Many teachers, who had placed themselves on the side of the students in the conflict have

been fired, San Francisco State College lost all their black teachers this summer. They declared that they had felt themselves forced to leave because racism and other persecution made their stay impossible."

After mentioning the amount of American soldiers and draftees who have fled to Canada, the renovation of the concentration camps which were used during the Second World War to intern the Japanese minority group, and the Internal Security Act from 1950, Sigsgaard says, "I bring this forth because there is much evidence that the USA is on the way to becoming a police state, and the left wing forces have found it necessary to establish a front against what they call fascism in the USA."

"Because of Denmark's dependence on the USA it is strongly relevant and necessary that such things are brought forward also in such an important debate as this one which is being conducted today. American police forces and soldiers have not only been put in Laos, Vietnam, Panama, etc., but also in Berkeley, Chicago, Greensboro. The well known student leader, Tom Hayden, says it this way: the poor people's war in Vietnam has now been carried to within America's own borders. And what can we in Denmark do? We can in the least inform the public of the development. We can protest and we can finally lessen the dependence on the USA. But our silence gives consent and we then become accomplices."

And to test the case of Denmark's dependence on America there arrived Sunday morning, October 12, on the 7:50 flight from Paris, two deserters seeking political asylum in Denmark, 30 year old Ted Price and 22 year old Reginald Alderton were led by the lawyer, Mark Lane. The two deserters' request of political asylum will be a trial case. The Minister of Justice says that each case is evaluated independently and that principally all political refugees obtain asylum in Denmark. The Chairman from the Deserter Committee, Knud Jensen, is implicit that the deserters not be returned to France if they are denied asylum here because their status in France is so doubtful. There they are treated differently, at the whims of different police and in some instances have been expelled from the country. As evidence of the uncertain fate which might await Price and Alderton the Chairman for the Deserter Committee in Paris, who happens to be an Austrian, has now for the second time been thrown out of the country. Already on October 15th, the press were carrying stories of yet a third deserter who had asked for political asylum. However, unlike Alderton and Price, Robert

Sweeney jumped ship while on NATO maneuvers and according to an agreement Denmark has with the USA he must be delivered to the American Authorities. However, before the Americans could get their hands on him and because his case was so unsure here in Denmark, Sweeney managed to escape to Sweden to ask for asylum there.

The Danish press, October 25th, carried a story in which it was reported that the foreign police have recommended to the Minister of Justice that the two deserters be denied either asylum or granted permission to stay and work in Denmark. Their reasons, which are only an attempt to miscredit these two young men not only in the eyes of the Danish public as a whole, but also to the government who will have the final decision regarding their case, are that Alderton had been implicated in an assault case while he was in the army in West Germany, that he had served a sentence of 4 months for a violation of the narcotics law in France, that he had in the fall sought permission to stay in Sweden and had been refused and that neither of the two deserters were in the imminent danger of being sent to Vietnam. When the pigs were asked if they had received their information from the American authorities they said they could not answer that question, and in response to the question of whether they had received information from Alderton's lawyer in France regarding the narcotics case, they replied, no. The Danish pigs' reports seem to be built entirely upon information from the American military and should therefore have no influence on the case as it has been seen time after time how everything is done to miscredit deserters, to make them into the worst of scum from society. This is a form of political persecution.

At the same time as the deserters were applying for political asylum in Denmark the USA was sharpening its threats to stop a million dollar loan from the American Export Import Bank to SAS because of the Swedish Vietnam policy. Through SAS the American-Swedish strife will have direct consequences for Denmark. The threat was presented by the official spokesman for the Foreign Ministry in Washington, Carl Hartch. The final decision has not yet been made and Sweden has been informed that there is still time to become more wise. THIS IS IMPERIALISTIC BLACKMAIL!!! And it becomes blackmail not only directed to Sweden but also to Denmark and Norway because Sweden represents only three-sevenths of SAS while Denmark and Norway represent two-sevenths each. An editorial written in "Information" states, October 15:

"But now the case of the Swedish



CHAIRMAN BOBBY

aid to North Vietnam shows that the Americans also have an alarmingly large economic influence in a west European land which is neither a member of the Common Market nor NATO. The threat to stop the loan through the American Export-Import Bank has been enough to create fear in Swedish business circles and the anxiety has not become less since the Chairman for the American harbor workers, Thomas Gleason, has threatened to introduce a boycott against Swedish ships docking at all harbors on the east coast and the Gulf of Mexico. There is no doubt that the Americans have found an effective political method, by playing Swedish business against the Swedish government...

"But the case concerning Denmark is of a far more serious nature. Because of our connection to the USA through membership in NATO we have not been able to go as far as Sweden in criticism of the American Vietnam policy. In the meantime we have had an evident interest in that in any case a Nordic country could freely express its meaning on the war in Vietnam. It has given us the opportunity that we, on a Nordic level, have been able to contribute in political initiatives which we could not dare take in our own hands being connected to NATO. It concerns, for example, the organizing of massive aid to the whole of Vietnam when the war is at its sometime over..."

"The Danish government can underline to the USA that the market-political pressures which are being used to limit a sovereign nation's political market freedom is not within keeping with those ideals which we affiliated ourselves with when we signed the Atlantic pact."

Denmark and Sweden must show the USA that they are free and independent countries and will not be blackmailed into becoming yet another puppet on the string of American imperialism - USA dollar dominated colonies.

ALL POWER TO THE PEOPLE

THIRD WORLD COMMITTEE FOR SOLIDARITY WITH VIETNAM

The Third World Committee for Solidarity with Vietnam, an anti-war coalition of Black and Third World groups and individuals, rejects President Nixon's November 3 speech as a stop gap action against anti-war mobilization and encourages all African Americans to join the fall offensive demonstrations scheduled in Washington D.C., November 13, 14 and 15.

The federation, which includes the Black Liberation Alliance, the Illinois chapter of the Black Panther Party, the Young Lords Organization, a Puerto Rican youth group, the Young Socialist Alliance and the Arab Students Against the War, is currently visiting black college campuses and high schools to organize delegations to the national anti-war action in Wash-

ington.

Robert L. Lucas, national chairman of the Black Liberation Alliance and spokesman for the coalition states, "The people of North Vietnam are engaged in a national liberation struggle against colonialist oppression and invasion by American and European aggressors just as African Americans in this country are fighting racist oppression at the hands of American capitalists."

"President Nixon's phony declaration of troops withdrawals in a recent six week period are ample proof of the administration's insincerity. It would take 297 years to withdraw all troops at the rate the U.S. is going now. The concerted support of the African

American community is needed at this time to intensify the demand to bring all the troops home now!

A March Against Death is scheduled to begin November 13 at Arlington National cemetery. On November 15, thousands of demonstrators will file past the White House.

The Third World Committee asks persons interested in participating in the Washington demonstrations to contact: Third World Committee for Solidarity with Vietnam, 75 East 35th Street, Chicago.

TRIAL OF N.Y. 21 STARTS NOV. 17

The trial of the N.Y. 21 starts on Nov. 17. Thirteen kidnapped brothers and sisters have been held in "preventive detention" in lieu of \$100,000.00 ransom. Now the fascist pig power structure is moving to railroad these Freedom Fighters to prison on trumped up charges that carry as much as 243 years. When racist Judge Hoffman ordered Chairman Bobby Seale gagged and chained, it became very clear that "a Black man doesn't have any rights that a White man is bound

to respect."

The N.Y. 21 will be subjected to the same type of fascist justice when they appear before pig Judge Murtagh at the Federal Court House at Foley Square, on Nov. 17, 1969.

We are asking all people who are concerned about constitutional justice to come out in support of these political prisoners.

FREE ALL POLITICAL PRISONERS

U.S. PILOTS CAPTURED IN VIETNAM

REPRINTED FROM
VIETNAM COURIERTHEIR MESSAGES
TO WASHINGTON

Editor's Note: Quan Doi Nhan Dan (People's Army) has just published a long reportage on US pilots captured and now detained in North Viet Nam. The following is one of the final chapters of this story. Subheads are ours.

"WE have been duped."
"They have lied to us."
"Mr. Johnson and his
courage are big liars!"

Such is the bitter resentment felt by most of the American "strongmen" who have been captured and brought to this detention camp. So many of those sad realities have dawned upon them, one after the other. They had no idea they had erred so much in the past in their thinking.

Is it true that the Vietnamese communists are very cruel? Is it true that the Vietnamese people are living a very wretched life under a totalitarian regime and are longing for the Americans to come and liberate them? Is it true that the North Vietnamese communists are very ruthless? Is it true that one cannot escape torture and death once in their hands? Is it true that the Asians, the Vietnamese in particular, are very backward and ignorant and long for the US to come and bring them civilization and prosperity?

THEY SHOULD KNOW BETTER
THEIR ADVERSARY

HERE is a passage from an open letter sent to Washington by Captain L.P.:

"Mr. Johnson, what you said does not fit in with facts. Either you yourself are deceived or you have deliberately deceived us. In North Viet Nam, people are going to the polls very regularly. Their government is an elected one, a thing very few of us in the States know. Their economy is indeed still at a low level but it is developing very promisingly. The Vietnamese are imbued with very ardent patriotism. They strongly hate the aggressors. They are a very civilized, human and tolerant people. They have given us a very kind treatment not of any obligation but out of their kind hearts, because they have a long tradition of humanity toward defeated enemies who have surrendered. They are very open-minded and know many things more than we do. I have known only a few persons but all those I have met show a wide knowledge, a high culture and especially a very kind heart."

Navy Lieutenant Commander Allen Stratton, captured on January 5, 1967, told a foreign journalist: "You ask me what message I want to send to the authorities in the US. Well, that's this: they must weigh carefully before embarking on a war."



REVOLUTIONARY

They should understand the opponent better. Our adversary's unshakable resolve can only increase in proportion to our escalation. We want you to understand that here most of us were captured by rifle-holding farmers working on their fields. They are fighting back at us not only with the force of their army which is already something very formidable, but also with the strength of their people which is even more formidable." He continued, with his head bent: "Here, only when some of us met together did we know that a great many of us had been captured by Vietnamese women. They held weapons of all kinds: carbines, rifles, knives, sticks, and also farm tools like hoes, weeders and fishing tackle. We want the men in Washington to know in detail this very unusual sight: our plane was shot down and we bailed out. American aircraft were swarming overhead, bombing and strafing the surroundings. That made our hair stand on end. Yet, the Vietnamese rushed out to capture us while their air defence batteries continued to thunder furiously. They rushed to us with sparkling eyes and tight lips. They brandished their guns on us. The only thing we could do was to drop everything that could be considered a weapon and raise our hands to ask for mercy. This frightful moment when we thought we were going to depart from this life is still fresh in my mind. I'll never forget it."

COMPLETELY USELESS
PREPARATIONS

IN early 1969, after Nixon took office on January 20, I met Air Force Lieutenant P.S. in the courtyard of the camp. I asked him: "Well, Johnson has left the White House and Nixon has just moved in. What do you think of it?" He hesitated for a while, then spoke in the same breath as if he had been pondering over it long before: "Yes, it means Mr. Johnson has gone back to Texas. There he has a very big ranch. But he may not, in good conscience, forget us here. He is indebted to us. It is he who has sent us here. Can it be that he will now sit idly to watch his milk cows and leave us in the lurch?"

This debt Johnson has not paid them, but the Americans here have already been thinking with apprehension of the treatment the Nixon administration would mete out to them if ever they should be fortunate enough to return to the States. This is a matter what is tormenting some of them day and night.

It is the fear of being charged with "guilty behaviour", with "co-operation with the enemy", with "treason" once back in the

United States. I wanted to inquire deeper into this question. One day in early April 1969, I talked about this with an Air Force Captain for a whole afternoon. He said: "As we had lost more and more pilots and the number captured and detained by you was increasing steadily, our military authorities felt it more and more imperative to teach us how to behave if captured. The basic document was the 'Code of Conduct' which stipulated that we could only disclose to our adversary four things: name, rank, service number and date of birth." After some moments of thinking and looking down at his striped pyjamas as if to ascertain that he was actually in the conditions defined by the "Code of Conduct" he went on: "I still remember that the Code was issued in August 1955. It was President Eisenhower himself who oversaw the drafting of the code and signed it into law, following the Korean war. Lieutenant Commander B.N., my superior, who had taken part in the Korean war, related to me that the captured GIs in Korea made so many declarations that it became a matter

general rank and five top civilian officials in the US."

He paused, sipped some hot tea, then continued leisurely: "We not only had to learn by heart the 'Code of Conduct' but also to undergo a period of seven to ten days of training in the 'survival' schools. There we were taught how to find an escape route after falling in a jungle, to seek for food by oneself, to radio for help, to answer not beyond the four questions prescribed in case of capture, to endure hunger, thirst and torture, to escape prisons, to keep silence because to keep silence and not to give away any information is also a weapon (!). What an irony it was this two-week program of survival! It was completely useless! We have met together in this camp and all of us agreed the pocket-books that were supposed to guide us in finding edible leaves and plants, in catching and finding bird nests, or the packs of cards printed with various kinds of edible plants, fruit and tubers as well as the fishing nets, hooks, saws, knives... are all to no avail. Because no sooner had we bailed out than



you were already there!"

He paused for a while, took a few more sips of hot tea, and went on with a point of honour: "But what is more ironical is that the Americans who played the Vietcong in the 'survival' schools in the United States gave us a good beating, yes, a good beating, although it was a sham beating. Here, there is nothing of the sort. The only torture battery I've ever seen is precisely the one at the US 'survival' school. I want the officials in the Pentagon to close all these good-for-nothing schools."

Air Force Lieutenant V.R. also had a concern of his own, and it was again the fear of punishment back in the States. He made this remark which sounded rather philosophical: "We think that the Administration will treat us quite brutally! Those who fail to achieve their aim before an adversary usually have the tendency to take vengeance on a third adversary. Who knows their anger at their failures will not descend upon us? We are very anxious about the treatment that is awaiting there, in the States. But we don't mind, we have made every preparation. They may call us traitors. Well, they may court-martial us. Do you know, those whom I'll have to confront will be all white-haired commanders. There will be generals and admirals. They will stare at us like this..." He rose up, put his arms akimbo, and slightly bent forward. "But I'll stand erect and defend my conduct which I believe is right."

of grave concern for Mr. Eisenhower and his aides. At the time, the consensus was that never before had there been such a massive decline of morale and such a massive co-operation with the enemy. Nobody ever tried to escape from his camp. Mr. Eisenhower very painfully made a remark which I will quote to you: "We have shown ourselves not to be brave enough when confronting the enemy in the prison, face to face, wit to wit, culture to culture, on an individual basis." The Government then ordered the Army to make a full-scale investigation into the US prisoners-of-war. This very careful study lasted nearly five years. More than 4,000 dossiers, and thousands of documents from one inch to 25 inches thick had been submitted to the inquiry body. If I am not mistaken, as a result 322 US officers and servicemen were brought to trial after being handed over by the opponent. A number were sentenced to death by martial courts. Thousands of others were put to disciplinary measures in one form or another."

He shook his head despondently, his eyes half-closed as if he were trying to remember something, then continued: "I have met some American GIs returning from detention camps in Korea. They were kept for quite a long time in camps in the United States. There they were required to do a really painful job which was to answer a list of 75 questions on their conduct while in the enemy prisons. Then they were also asked to answer nearly 50 questions of the military intelligence service aimed at getting information about the adversary. It was precisely after all this investigation and interrogation that the 'Code of Conduct' was promulgated. Though it hardly filled a page, the Code was drafted by five officers of

CONT. ON PAGE 7

U.S. PILOTS

HUMOUR AND LESSONS

HERE, in prison, they are allowed to listen to the radio, read newspapers and books, draw pictures and write wall-papers. Among the scores of cartoons I saw, I remember some which bore a marked American mode of thinking and style. Navy Lieutenant Commander C.N. drew a picture, featuring a US plane in flames plummeting to the ground, and a US pilot bailing out while air-defence batteries were in full action. An official of a US Insurance Company with a bowler hat on his head and a travel bag in his hand hurried to the scene and complained: "What a pity, I come a bit too late!" In an inside page, the paper featured Westmoreland with a full four-star patch, and a suitcase in his hand boarding a big plane marked "Washington Express." The caption read: "Well, how can my successor unravel the mess I have made all through the past four years?"

No less humorous were the drawings by Air Force Lieutenant Colonel P.L. He portrayed a Johnson flat on the ground pulling at Westmoreland's sleeve and pointing ahead: "Hey Westy, I think I see that same light at the end of the tunnel that you saw last year." But this light, as seen in the picture, turned out to be the glowing fire of the Liberation Army artillery pounding at the US base in Tan Son Nhut.

In the last pages, along with a commentary on the American withdrawal from Khe Sanh, the same artist in striped pyjamas drew the following picture: a bailing US military truck with these inscriptions on the door: "USMC Withdrawal Co." On the truck were many mounds of earth planted with signs reading: "Hill 747", "Hill 689"... On the roadside beneath an arrow pointing in the direction of Saigon was a broken wooden board inscribed with these words: "Hold at any cost! Signed: L.B.J." Two GIs were busy shovelling earth onto the truck. One told the other: "We can't hold Khe Sanh, here so we are moving the whole place closer to Saigon."

In another wall-paper issued in early 1969, Navy Captain R.C. drew a picture of Uncle Sam with a stars-and-stripes bowler hat, his clothes mended with hundreds of patches, each spelling out one social ill in the US such as "price-rise", "tax

increase", "crime", "devaluation", "Black violence." The biggest patch bore the word "Viet Nam war." An American shook hands with Uncle Sam, saying: "Why do you look so depressed? We are in the new year, you must get some better clothes, hey?"

Another artist, Navy Lieutenant K., was no less gifted. He drew a bare-breasted Abrams shouting orders to an American female secretary who was dusting the drawers in his escritoire. The drawers bore the inscriptions: "Search and Destroy", "First Dry-Season Counter-Offensive", "Second Dry-Season Counter-Offensive", "Top Secret", "To be burnt after reading"... The caption read: "We must clear the dust and keep all this stuff under the famous 'clear-and-hold' plan." Another drawing by the same artist: Banker took an American senator on an inspection tour in Saigon to a military cemetery of the US strewn with graves of US soldiers. He said: "Yes, Senator, this is the land we intend to hold to the end against subversion and sabotage."

And there are many, many more such cartoons. A captured US pilot told me: "Look, these are our cartoons. We hope they can be published in the United States. They are art works made in this Hilton Hotel. We want to send them all back to Washington as a gift to the gentlemen in the White House."

From the diaries and memoirs of the "striped-pyjamas writers" we can draw something very useful for the present Nixon company.

Under the headline: "On the Viet Nam War", Captain B. wrote the following in his memoirs: "Here I have read with fascinating interest many Vietnamese stories published in English. The stories about the Cu Chi guerrillas have captivated me. Not only am I sympathetic to the brave fighters defending their country, but also in my innermost, I've begun to encourage them."

Farther down, he wrote: "The losses which American planes caused to the population of Cu Chi and of which I've just learnt were inflicted on real human beings, on my friends in the stories I've just read and still remember... These crimes are no longer a record of figures. They are an offence against my feelings.

They anger me." Another passage depicted his feelings when he read in a Vietnamese newspaper a dogfight between Vietnamese pilots and American air pirates: "I have read with great excitement a fight of the Vietnamese pilot in his Mig 17. I share his emotion. It is admirable, his exploit in defence of his country?" He added, handing to me his memoirs: "That's that. Only the defenders of their country

believe that these hirelings of theirs will not have lost their senses to the point of denying the evident failure of the US and the obvious victory of the Vietnamese people."

One day in early August 1969 I showed Captain H.P. a piece of news. It was about a statement by US Defense Secretary Melvin Laird that the US government was deeply concerned with the fate of the American milita-



U.S. PIRATE SHOT DOWN BY VIETNAMESE

can have elevated feelings. We cannot have such feelings. We can only fight courageously when we have something to fight for, repelling aggressors against our Motherland for example. But in Viet Nam we are not in such a position. Here, you are the only ones to fight in defense of your country."

In this camp, unfortunately there are not yet many such meaningful drawings and impressions. This is understandable. Not that all US air pirates have quickly come to see the truth. Not a few of them still have the frame of mind of aggressors. Nevertheless, the setbacks of the US on the battlefield, and the resounding successes of the Vietnamese people have echoed to these prison walls and gradually opened their eyes to reality. If even chiefs of aggressive circles like McNamara and Clifford have had to admit the impasse and failure of the US, there is reason to

rymen detained in North Viet Nam. The US pilot's reaction was quick: "Let those gentlemen need not worry about us here. The best thing they should do is to end quickly this wrong war and bring all the American boys home."

Many American pilots detained here did not mind their words: it was not that these bigwigs in Washington had any concern for these striped-pyjamas pilots. They pretended to be so because the American people, especially the families and relatives of the pilots detained here, were insisting with increasing firmness that the Nixon administration end the war of aggression in Viet Nam and pull out all American troops so that these pilots may be soon rejoin their families.

Though having no pity for the pilots, the Nixon administration cannot but be alarmed by their capture since they belong to the elite of the US Air Force which in

its turn is the trump-card of Washington's "big stick" policy. A US Navy captain said: "As far as I know, there are in the United States Armed Forces quite a lot of pilots of transport, reconnaissance, training, relief and tanker planes and helicopters. But there are only a few thousand pilots of fighter-bombers. The fighter pilots can look down upon a US soldier of any other armed service. I would like to add that the number of these qualified fighter-pilots considered 'old hands' among US can be counted only by the hundreds. Yet in this camp, as far as I can see, most of us are fighter-pilots."

Not a few among the elite of the US armed forces, who held their heads high in the US, have had to bow them to the Vietnamese people and are detained in this camp. This is indeed a slap in the face of the American brass-hats and the rulers in Washington. But that is not all. There are other reasons for their alarm. Veteran flier Rainer said: "It is no wonder that they felt such a concern over our capture.

As you can see for yourselves, we are holders of a wide range of secrets of the US defence fabric. What a danger now that we are in the hands of the adversary? How can they remain quiet?"

In fact, among the striped-pyjamas pilots detained here many have quite substantial knowledge of the questions of strategy, tactics, techniques and weaponry of the US armed forces.

Some have graduated from military institutes and know quite well the strategic policies of the military aggression blocs under the aegis of US imperialism. Others had worked for many years in key organs of the Pentagon. Many know a lot about the US bases scattered all over the world. Some are electronic engineers, military aircraft constructors or technical experts in many important branches of the US Air Force and Navy. Just think that they would some day divulge things beyond those prescribed in the "Code of Conduct" suffices to make the hair of Pentagon and CIA officials rise on end.

Yet, these unique captures are piled up in the prisons of the DRVN. How can Nixon, Laird and their like face this hard fact with peace in their minds?

THANH TIN

Premier Pham Van Dong's Message To The American People

Dear American Friends,

The progressive people of the United States have so far struggled against the war of aggression in Vietnam. This fall, the broad masses of the American people, encouraged and supported by many peace - and - justice - loving American personalities, have again started a broad and powerful drive in the whole country to demand that the Nixon administration stop the war of aggression in Vietnam, and immediately bring home all U.S. troops.

Your drive eloquently reflects the legitimate and pressing demand of your people to save the honour of the United States and to avoid for their boys useless death in Vietnam. This is also a very fitting and timely answer to the U.S. authorities who stubbornly persist in intensifying and prolonging the war of aggression in Vietnam, in defiance of the protests of American and world public opinion.

The Vietnamese people and the world's peoples fully approve and warmly hail your just struggle. The Vietnamese people demand

that the U.S. government completely and unconditionally pull out of Vietnam all U.S. troops and those of foreign countries belonging to its camp, and let the Vietnamese people decide themselves their own destiny.

The Vietnamese people deeply cherish peace, but a peace in independence and freedom. So long as the U.S. government has not stopped its aggression in Vietnam, the Vietnamese people will tenaciously fight on to defend their fundamental national rights. The patriotic fight of our people is also a fight for the objectives of peace and justice you are pursuing.

We are firmly confident that with the solidarity and courage of our two peoples, with the sympathy and support of the peace loving people in the world, the struggle of the Vietnamese people and of the progressive people in the United States against U.S. aggression will end in total victory.

Cordial greeting.
PHAM VAN DONG
Prime Minister of the Democratic Republic of Vietnam.

TO THE BLACK PANTHER PARTY:

I could title my reply to Mr. Goldstein "Israel, the Shame of the Jews", or "Jews Without Honor". Now, I ask myself, in one short generation, could the Jews have changed from a major victim of fascism to a people who commit fascist crimes against others? The millions of murdered Jews of Europe must be turning over in their graves when crimes against the Arabs are desecrating their memories.

The answer, Mr. Goldstein, is imperialism -- a capitalist Israel exists only as a tool of a capitalist United States, and surely, even you Mr. Goldstein must realize that this capitalist United States is the greatest fascist danger in the world today. Bitter is the sight of formerly socialist-minded Jews supporting imperialist moves against the Arabs -- here is the rotten fruit of nationalism when it becomes reactionary and opposed to internationalism.

Mr. Goldstein, as a Jew and a human being, I do not want to see the Jews of Israel perish, just as the people of Vietnam do not like to see the American soldiers perish. But those who support imperialism will perish. Salvation for

the Jews can never come through oppressing other peoples. Black as well as white soldiers will be killed in Vietnam as long as they permit themselves to be used as tools of the imperialist invaders.

Peace can come to Israel only on an anti-imperialist, anti-racist basis of Arab-Jewish working class unity. This requires changing the capitalist racist government of Israel as well as revolutionary changes in the Arab lands. The very concept of Israel as a state dedicated to maintaining a Jewish majority by expulsion of Arabs and immigration of Jews is a racist concept. The United States capitalists knew exactly what they were doing when they closed their doors to the Jewish refugees of Europe and instead set up the state of Israel. In this way the U.S. gained a reliable imperialist outpost in the center of the Arab countries -- they don't care at all if Jews and Arabs kill each other.

No capitalist country is a democracy, and oh, how true this is of Israel. When the Communist Israeli leader opposed the war against the Arabs he was KNIFED RIGHT ON THE FLOOR OF THE ISRAELI PARLIAMENT. The special "military laws" are still in effect

in Israel and there is no freedom for the brave Jewish anti-imperialists who oppose the government. There never has been freedom for the Arabs who remained in Israel and for many years couldn't even join the Histadruth unions. If anyone thinks the Jews can maintain their occupation by methods gentler than those used by the Nazi occupiers, they are very much mistaken. Brutality is not inborn; it springs from imperialism. Imperialist Jews will be no more humane than imperialist Germans or Americans.

I love the Jews, my people, and am proud of their many contributions to civilization, especially to socialism. Because I love the Jews I hate the government of Israel for being a tool of the U.S., committing crimes against the Arabs and jeopardizing the lives of the Jews by launching them on an imperialist war. I would like to see an anti-imperialist organization of Jews and Arabs in this country to make available a true picture of the situation in the Mideast. My thanks to the Black Panther Paper for the fine part it is playing on this question.

Fraternality,
Beatrice Lumpkin

THE UNITED STATES STILL HAS NEO-COLONIALIST VIEWS UPON SOUTH VIET NAM

REPRINTED FROM
VIETNAM COURIER

— September 21 Statement of the DRVN Government
on US President Nixon's Statement —

On September 16 and 18, US President Nixon announced the withdrawal of 35,000 US troops from South Viet Nam by December 15, 1969, and repeated US so-called "respect for the South Vietnamese people's right to self-determination."

As is well-known, for many years now the United States has been carrying out intervention and aggression in Viet Nam; it has committed over half a million US and satellite troops to the most atrocious colonial war in history in South Viet Nam. As it has been committing aggression against South Viet Nam, it must bring it to an end, and withdraw all its troops from South Viet Nam without laying down any condition whatsoever. Yet, it abominably sticks to its "mutual withdrawal" claim. Setting terms to the withdrawal of US troops is tantamount to demanding a ransom to be paid for its aggression, which is completely at variance with justice and human morality.

The 35,000 men whose repatriation has been announced by the United States represents an insignificant part of the half million odd US troops in South Viet Nam. This trick of troop withdrawals by dribbles cannot conceal the fact that the United States is still maintaining nearly half a million US troops of occupation in South Viet Nam, and dragging out the war of aggression. That explains the condemnation by public opinion in the United States and in the world of this new cunning Nixon trick.

The US President has also stated that "the only item which is not negotiable is the right of the people of South Viet Nam to determine their own future free of outside interference." He behaved as if the United States had respected this right. In fact, everybody knows that the US has trampled it underfoot, created the Saigon puppet administration as a tool of its aggressive policy, and sent US and satellite expeditionary troops to South Viet Nam for an aggressive war. Though now forced to pay lip service to "respect for the South Vietnamese people's right to self-determination,"

in an attempt to deceive public opinion, it still sets its face against the formation of a provisional coalition government to see to free and democratic government."

States has been intensifying the war in South Viet Nam. It has made every effort to strengthen the puppet army and consolidate the puppet administration, it has stage-



PRESIDENT
TON DUC THANG

eral elections, and insists that the Saigon puppet administration be allowed to organize faked general elections while US troops are occupying South Viet Nam.

It is therefore obvious that, in the name of "respect for the right to self-determination," US President Nixon is preventing the actual exercise of this right by the South Vietnamese people.

In his appeal issued on the occasion of July 20, 1969 President Ho Chi Minh made it clear that:

"The Vietnamese people firmly demand the withdrawal of all US and satellite troops, not the withdrawal of only 25,000, or 35,000 or 500,000 men, but a total, complete, unconditional withdrawal [...]"

"So long as US troops and the puppet administration remain in existence in South Viet Nam, really free and democratic general elections will be absolutely impossible."

It should also be pointed out that since US President Nixon took office, the United

managed a large of "cabinet reshuffle," replaced Tran Van Huong by Tran Thien Khiem, a bellicose militarist, a former henchman of Ngo Dinh Diem. It has been carrying on acts jeopardizing the sovereignty and security of the Democratic Republic of Viet Nam and air attacking many places in the area between the 17th and the 20th parallels.

Clearly enough, the United States has not yet given up its aggressive designs, it is still hatching schemes to achieve neo-colonialism in South Viet Nam and to prolong the partition of Viet Nam.

But the longer the United States pursues the war of aggression, the more it exposes itself to humiliating setbacks and to condemnation by justice and peace-loving public opinion in the world and by progressive American public opinion.

The Vietnamese people deeply cherish peace, but a genuine peace in true independence and freedom.

The South Viet Nam Na-

tional Front for Liberation and the Provisional Revolutionary Government of the Republic of South Viet Nam have put forward the ten-point overall solution as a sound basis for a peaceful settlement of the Viet Nam problem. This plan has enlisted warm approval and support from the peoples of the world. It is also an honourable way for the United States to extricate itself from the Viet Nam war, so costly in terms of men and money.

The Government of the Democratic Republic of Viet Nam unreservedly supports the position of the Provisional Revolutionary Government of the Republic of South Viet Nam expounded in its September 20, 1969 statement.

The Government of the Democratic Republic of Viet Nam and its representative at the Paris Conference on Viet Nam have declared time and again that as the United States has committed aggression, it must bring its aggression to an end, and withdraw all its troops from

South Viet Nam without any condition whatsoever. Such a course is the key to a settlement of the Viet Nam issue.

As long as the United States pursues its aggression in Viet Nam, refuses to pull out its troops from South Viet Nam totally and unconditionally, and clings to the Thieu-Ky-Khiem puppet administration, the Vietnamese people, carrying out the sacred testament of President Ho Chi Minh, are resolved to unite as one man, to brave all sacrifices and hardships, and to fight on till they achieve their fundamental national rights as recognized by the 1954 Geneva Conference on Viet Nam.

The Vietnamese people and the Government of the Democratic Republic of Viet Nam are firmly confident that the fraternal socialist countries, the justice- and peace-loving countries, and the peoples throughout the world will extend increased support and assistance to the Vietnamese people's patriotic struggle against US aggression till total victory.

For its part, the Provisional Revolutionary Government of the Republic of South Viet Nam issued on Sept. 20 a condemnation of the obdurate position and perfidious attitude of the Nixon administration as regards the settlement of the South Viet Nam question. The statement read:

"THE Vietnamese people, like public opinion in the US and the world, have pointed out that the announced US pull-out of 25,000, or 35,000, or of more, troops is merely a piece of deception aimed at appeasing public opinion, covering up its scheme to prolong the war and US military occupation of South Viet Nam. Since the US has deployed over half-a-million expeditionary troops in an aggression against South Viet Nam, and has been infringing the independence and sovereignty of the Vietnamese people, it must end its aggression, withdraw quickly and completely this aggressor army from South Viet Nam. The arrogant demand by the US government that the Vietnamese people respond to its 'troop withdrawal in dribbles' trick shows all the more clearly US persistence in its claim for 'reciprocity', and insistence on conditions for ending its aggression. US President Nixon asserts that he respects the South Vietnamese people's right to self-determination, while in fact he is scheming to maintain the puppet administration, opposing the right to self-determination of the South Vietnamese people, and urging them to surrender and accept the rule of the clique of traitors."

"If the US really wants a peaceful settlement to the South Viet Nam question and an honourable end to the war, it must seriously respond to the ten-point overall solution of the South Viet Nam National Front for Liberation and the Provisional Revolutionary Government of the Republic of South Viet Nam, promptly and unconditionally withdraw all US troops and troops of the other foreign countries of the US camp from South Viet Nam. It must give up its scheme to maintain the stooge administration and let the Vietnamese people settle themselves their own affairs without foreign interference."

"The South Vietnamese people ardently cherish peace but it must be a peace in independence and liberty. If the Nixon administration continues to strive after the illusory position of strength on the battlefield and at the conference table and abominably prolongs the war of aggression in South Viet Nam, it cannot escape still heavier failures."

ATTENTION!

In last weeks Black Panther Paper the quotation on the front cover by our Chairman Bobby Seale was not complete due to technical error. It should have read: "If I am continuously denied this constitutional right of legal defense counsel of my choice

who is effective by the judge of this court, then I can only see Judge Hoffman as a blatant racist of this U. S. court with gross prejudicial error toward all defendants and myself in particular.

The journalists' anti-imperialist conference of Pyongyang

BY ERNESTO VERA,
President
of the Journalists
Union of Cuba

REPRINTED FROM GRAMMA



THE journalists' anti-imperialist conference held in Pyongyang, capital of the Democratic People's Republic of Korea, was an outstanding event in the history of journalism.

The presence of delegations from 90 countries gave proof of the scope of the conference, and the speeches and debates demonstrated the quality of the event.

Everything — even the slightest detail of an organizational nature — was foreseen, but the most important thing was the site of the conference, the prevailing revolutionary climate and the popular enthusiasm that existed with regard to the conference. It may be said that all the people of Korea participated in one way or another in the tasks of the conference. The factories and farms set themselves work goals in salute to the conference; a mass rally of 100,000 people was held to start things off; and 3000 people were permanently in attendance at the conference, following its development with the greatest interest. The press, radio and television gave detailed coverage to conference happen-

ings. Radio and TV broadcasts. It should be noted, can be picked up perfectly in the southern portion of the country, which is occupied by Yankee troops.



PREMIER KIM IL SUNG

To give an idea of the effort put into the event by the Korean comrades, suffice it to say that the main streets of all the cities were covered with flags, banners and posters which referred to the conference. Three months were spent in these preparations.

The people lined the roadsides to welcome the delegates whenever they traveled — especially the children, who stopped and gave the Pioneer salute with a discipline that impressed everyone.

The tone for the conference was set by Marshal Kim Il Sung in his opening speech. His presence there and his remarks were a significant contribution to the success obtained. He demonstrated an impressively detailed knowledge of the work of journalists and gave important guidelines in this regard that can be applied in the present circumstances by anti-imperialist journalists fighting against U.S. imperialism anywhere in the world.

Along these lines, he said, "Progressive journalists all over the world must expose all aspects of the policy of war and aggression followed by U.S. imperialism and reveal its bestiality, so contributing to the creation of worldwide anti-imperialist public opinion. No illusions should ever be held about Yankee imperialism. History clearly shows that sowing illusions about U.S. imperialism and urging unprincipled compromises with it only leads to halting the peoples' revolutionary vigilance — which, in turn, causes the Yankee imperialists to be more insolent, cruel and ferocious, and encourages them in their schemes of war and aggression. Progressive journalists all over the world must spread the truth among the popular masses that imperialists must be fought with determination, to the end, and that only by means of a decisive and persevering struggle against the imperialists' policy of war and aggression is it possible to obtain freedom and liberty from the colonial yoke, defend the achievements of the revolution, obtain new victories and maintain lasting peace.

"At the same time, journalists must teach the masses to oppose servile adoration of the United States, fear of or submission to the United States, and acceptance of support from the United States. They must also teach the masses to have infinite hatred for U.S. imperialism. The reactionary ideas of U.S. imperialism are the tool used to produce ideological degeneration

in people, making them political invalids. Progressive journalists who represent vanguard ideas must firmly reject the reactionary ideological and cultural offensive of Yankee imperialism."

This tone prevailed throughout the conference, as can be seen from the documents which were unanimously approved. The three documents that were approved — the Declaration of Pyongyang and special resolutions on Vietnam and the Lenin centennial — reveal the prevailing climate.

The Declaration of Pyongyang establishes basic guidelines for journalists in the joint struggle against Yankee imperialism and other important world problems, as well as giving firm support to the peoples' struggles against imperialist aggression and oppression. The heroic struggle of the Vietnamese people against the aggression of Yankee imperialism and the universal tribute to the man who successfully led the October Revolution and the establishment of the world's first socialist state, the Soviet Union, were treated in separate documents.

With regard to Cuba, the Declaration of Pyongyang states the following: "We consider it our common duty to oppose the aggression and subversive ploys of Yankee imperialism against the Republic of Cuba and to struggle for the victory of the Cuban Revolution. The victory of the Cuban Revolution was the first break in the chain of neocolonialist domination maintained by U.S. imperialism in Latin America. A great event, it serves as clear proof of the inevitable defeat of U.S. imperialism in our time. The schemes of military aggression and blockade of Yankee imperialism aimed at strangling the Republic of Cuba must be halted, and the aggressive Yankee imperialist troops must immediately withdraw from the Guantanamo base.

"We send our warm support and encouragement to the people of Cuba, that, with the entire nation and people united as a single man, is firmly fighting to defend the achievements of the Revolution and for the victory of the socialist cause in the face of the aggression of Yankee imperialism."

The Declaration of Pyongyang is a militantly anti-imperialist document. Moreover, it was unanimously agreed upon by representatives of the 90 countries at the conference.

We feel that the spirit and agreements of the Pyongyang conference are an important precedent for the development and success of the 7th Congress of the International Organization of Journalists, which will be held in Havana next year.

The special resolution on Vietnam says, among other things, that "From now until December 20, 1969, ninth anniversary of the founding of the National Front for Liberation of South Vietnam, we will wage a large-scale campaign in every country through the newspapers, radio and television to denounce and condemn the continued intensification of the U.S. war in South Vietnam. We will give broad publicity to the 10-Point Program of the National Front for Liberation of South Vietnam and Provisional Revolutionary Government of the Republic of South Vietnam as a solution to the problem. We will demand that the United States cease its 'war of aggression and quickly and completely withdraw its troops from South Vietnam."

This worldwide campaign by progressive journalists will contribute to tying the hands of the Yankee imperialists and aid the struggle of broad sectors of the U.S. population that have risen up against the unjust Yankee war against the people of Vietnam.

Latin-American journalists were represented at the conference by delegations from 18 countries — the largest participation by the journalists of this area in any international meeting of journalists to date.

The other special resolution, on the Lenin centennial, points out that "The imperialists and opportunists will in no way be able to lessen Lenin's great ideas or block the path of the revolutionary peoples of the world that march under the flag of anti-imperialist struggle which Lenin unfurled."

In Korea our delegation was given red-carpet treatment by both Party and government officials and the Korean people. The Cuban delegation met twice with Marshal Kim Il Sung, had an hour-long meeting with President Choi Yon Kum and addressed 100,000 people in a mass rally at the stadium in Pyongyang. The Cuban speech was heard over loudspeakers in all major cities. Once again, our Korean comrades have demonstrated the deep affection and friendship they feel for the people of Cuba.

The event, whose official name was International Conference on the Tasks of the World's Journalists in Their Struggle Against the Aggression of U.S. Imperialism, served as an important forum for political education, advancing the ideas and awareness of the participants. Logically, the countries in the front ranks of anti-imperialist struggle had a lot to do with this.

In its remarks, the Cuban delegation pointed out the global scope of the acts of aggression of Yankee imperialism and expressed support for the peoples' liberation struggle throughout the world. On the nature of the journalist's work, it said, "Journalists — and this is often discussed — sometimes talk about journalism, whether it is something characteristic or special, if journalists are a class, about professional problems, about trade union problems. In short, journalists themselves or those who talk about journalism or journalists often forget the real essence of this profession: its political nature. The journalist, like it or not, is a political militant. He defends his people or he betrays them."

In view of the fact that there exist abroad ideas to the effect that anti-imperialism is a limiting factor leading to isolation, the Cuban delegation added, "Yankee imperialist aggression may be seen everywhere, in all parts of the world. And, if this is so — if imperialist aggression, especially Yankee aggression, exists in all parts of the world — and if the journalist is a political militant who either defends or betrays his people, the first duty of the journalist, anywhere, is to be in the front ranks of militant anti-imperialism so as not to be a traitor to his people but to be a defender of his people. The base will, therefore, be broad, because imperialist aggression is widespread."

Regarding the struggles of the peoples of Latin America, the Cuban journalists said, "This is not a short process; this isn't something that will be solved in two days. This, like the first independence of Latin America, is a struggle involving years of effort, of tenacity, which is why it is a fight for the strong, for the firm, for the revolutionaries, and not a fight for the weak, the hesitant, the pseudorevolutionaries.... This struggle for the second independence of Latin America will not be won in two days, but it will be won. It will be won because the peoples of Latin America fight for it and because there are men such as Ernesto Che Guevara, who blazed a trail with his example."

We believe that the Pyongyang conference will go down in history. We are sure that its agreements will, of necessity, be a point of reference for journalists who are true to their people. Undoubtedly, the conference site, the Democratic People's Republic of Korea, was a decisive factor in making the conference a complete success, thanks to the revolutionary climate prevailing in that sister country, proving the importance of revolutionary prestige in attaining victory in any important project.

We know of no participant who didn't return home very impressed by the successes achieved in so short a period of time by the Democratic People's Republic of Korea in every field. Complete support was expressed for the struggle of the Korean people to expel the aggressive troops of Yankee imperialism from South Korea and reunify the country. All the anti-imperialist journalists appreciated the Korean comrades' efforts in making the conference sponsored by the International Organization of Journalists a success.

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Copy of one of the posters used to point up the importance of journalism in the struggle against Yankee imperialism.

MESSAGE TO ALL PROGRESSIVE FORCES

By CHAIRMAN BOBBY SEALE

This is Bobby Seale in the San Francisco, County Jail. I just arrived back here today November 10th, Monday. And there's a word to be said to the progressive forces in America, about imperialism abroad, and domestic imperialism (fascism) here at home.

It's correct that many millions of people, 85 - 90 per cent of the nation or more, are fed up with this unjust aggressive war against the Vietnamese people. It's understood that the Vietnamese people are fighting for their right to self-determination, their right to determine their own destiny in their own land, country, in their communities. It's good that progressive forces (organizations and people) can come forth and mass and demonstrate and redress their grievances against the government for waging such a war against people unjustly, not only in Vietnam but anywhere else in the world. But it's got to be understood that if there is imperialism abroad, if there is a war going on in the part of the fascist ruling class circles that are infested inside the U.S. government, if there is a war going on that they perpetrate and put together there, it must be understood that they're not waging that war those peoples right to self-determination, that they're waging that war for some inequality and unjustness against those people. And it's evident that it is being waged for this reason on their part because of the fact that there is no equality and there's no justice at home for people right here in America like Black people in particular who've suffered under racism and brutality and murder for 400 years right here in America. It's evident and it's clear that if there is genocide in a country as in Germany during World War II, then anything that ruling class fascist government does outside is also unjust and is also aggression and is also out to deny and murder and kill people.

What we have to understand is that right here at home in America we have to oppose imperialism, also. That you can't just fight imperialism, the acts of imperialism abroad, without understanding and recognizing community imperialism here of Black people, Brown people, Red people and even to the point of protesting students and radicals and progressive peoples here in America.

Domestic imperialism at home is in fact fascism. But what in essence is it? I think Black people if we go over the concrete experiences that we've had in America and what's going on now against us we can understand exactly what it is--to be corralled in wretched ghettos in America and look up one day and see numerous policemen occupying our community, and brutalizing us, killing brother Luth-combe, murdering young Bobby Blythe. The fact that so much brutality goes on to the extent that all the fascist press and all the demagogic politicians say it and the only thing that the courts put out is that it's supposedly "justifiable homicide" on the part of policemen who occupy our community.

The police state that exists here in America right now is in fact fascism right before our eyes. There are numerous examples of the police state activities. Only last week, I hear and understand, that a young Black brother was allegedly or supposedly cashing a so-called fictitious check in a bank here in San Francisco and was walking out of the bank amongst a crowd of people and that police guard runs out of the bank and he's only walking and the brother is shot dead in the mid-section of his back. He's dead and killing Black brothers and Black people who have experienced and know these fascist tactics



and know of too many cases and too many situations where young brothers and Black people have been beaten down and murdered by these cops, and it's becoming more and more out of hand. It's becoming out of hand because in every major city, in every major metropolis where Black people live police forces have been doubled, tripled and quadrupled.

Also, the racist courts of America are justifying the police brutality and murder of Black people and any people. The democratic convention as EVERYBODY knows, as everybody saw on the T.V. and read in the papers was nothing more than pigs, cops running rampant, brutalizing, murdering and bashing skulls. And many Black people looked on and said, "Look at those White people getting beaten", because

"OUR FIGHT IS NOT IN VIETNAM"



we know we had been beaten and brutalized for many years and still are.

They dragged me into this case. They put me as one of the defendants there, and they literally, overtly, blatantly, pigishly and racistly denied me my basic constitutional rights. Charles R. Garry, the most beautiful lawyer in the world, a revolutionary lawyer, was here at home going through an operation. He's a beautiful brother. He's 60 years old and had to have an operation for his health and couldn't come to the court. Dr. Goodlett explained it to the court a month before the court even convened that Charles would be risking his life, and I made motion after motion, request after request, and argued those requests and those motions on my behalf in my attempt to defend myself there and was literally denied, (literally denied) my constitutional rights to be able to defend myself, after it was clear that my lawyer wouldn't be able to be there to assist me. For a man to stand up and demand his constitutional rights and in turn the court looks at him and denies him that is to say he's not intelligent enough to see what's going on. But in fact we Black people, we people, all people, American people, know that to deny people their constitutional rights, their right to defend themselves, their right to council, or any constitutional right is nothing more than to justify the brutal tactics, murderous fascist tactics of the police running rampant in the communities of America, and in particular the Black communities of America.

To the Peace Forces, the progressive forces in America, the protesters, those who know the war in Vietnam is unjust, those who are going to the streets and demonstrating, those who think they're really, really doing something--what they're doing in trying to end the war in Vietnam, is not meaningful at all, yet, it's not meaningful at all and will not become meaningful at all if you really want to stop the war in Vietnam, until you take some action here in America against the fascist brutal forces against Black people here in America. The very fact that the North Vietnamese government has announced that they are willing to release prisoners of war, for the release and dropping of all charges and trumped-up charges against the Minister of Defense Huey P. Newton, and myself, this should be demanded also. That is directly relating to the very fact that we have to end police brutality and murder of Black people right here at home. Because the Black Panther Party itself has moved in this direction from its very inception to get rid of those fascist forces that corral us.

This is the kind of action that has to be taken on the part of the Peace Forces in America and the progressive forces in America. And until they begin to do that they will not begin at all to stop imperialism; they will not begin at all to stop domestic imperialism right here at home. You must move against domestic imperialism, growing rampant, FASCISM-- right here in America, before you can end the war in Vietnam or all forms of aggressive wars like that against other people abroad. The very fact that Black, Brown, Red and other peoples in America and poor people, even poor White people, are corralled in wretched ghettos, especially those people of color and Black people whose communities are occupied in the fashion they are and murdered. No, we can't continue to allow ourselves to be duped with the notion that we're doing something good until we learn to smash imperialism right here at home. Because to smash imperialism right here at home is to smash imperialism abroad. Smashing imperialism means taking action, demanding that those prisoners of war be allowed to come home. When you say "Bring the GPs home", bring the GPs home. And we can bring the prisoners of war home by demanding that the U.S. government release political prisoners here in America. Beginning with Huey and me, right now in America we will set a precedence of opposing fascism, abroad and at home. If that is what the Vietnamese people want, to release the political prisoners and people here in America, then I say that the progressive forces have to take some action in that direction; and they will be relating directly to smashing imperialism at home and recognizing that this has to be done.

People move. Black brothers and sisters, American people, it's time that we moved against fascism at home because to smash fascism at home is to smash fascism for ever abroad.

ALL POWER TO THE PEOPLE

UNITED STATES: ARMED CONFRONTATION

The rebellion which took place in the Congo (Zaire) in August 1965, when the Afro-American masses asserted forever their resolve to destroy the racist social, political and economic system that oppressors there reached the beginning of a new and important stage characterized by armed confrontation with the U.S. power structure. At that time it was fully verified that the Afro-Americans, like their brothers in Africa, Asia and Latin America, have no fear and asked them armed struggle to come the system based on them by the racist North American system.

Ever since then the movement in fight and the formation of the Black Panther Party (BPP) in the U.S. and everywhere they realized that the racist power structure may not only be shaken by its very foundation but also destroyed by wielding the weapons, by increasing striking at the enemy, by harassing him at all times and everywhere until he is defeated. The strikes continued against the Afro-Americans during four centuries of oppression will collapse in the United States, created by the black people, the workers of their countries, liberation.

The names of many cities are linked today to that of Watts, for by example not in motion those who have been oppressed for over 400 years, those who, from their ghettos, shout their war cry, "Black

Power!" and pull other nations which are already exploited, humiliated and murdered—the unemployed, the rebel



young, the Mexican and Puerto Rican, women, Martin Luther King and other activists have followed the example of Watts, and many more will join the Afro-American rebellion. Their struggle will be successful everywhere and extend like

the historic struggle of the Vietnamese people developed and became inevitable.

The importance of the Afro-American struggle was Malcolm X, who correctly stated the need of armed struggle as the only one leading to the destruction of the U.S. racist and imperialist power structure. He called upon his black brothers to fight for the destruction of racism and the liberation of the Afro-American masses. His name, along with the names of other revolutionaries who fell fighting for the same objectives, is a banner of the struggle and an evaluating example.

The Afro-American people reject the peaceful parades favored, in many cases by imperialist foundations like Ford and Rockefeller; they condemn nonviolence because it only fastens more firmly the chains of racist oppression, and do not forgive the traitors who desert the battlefield.

The true leaders of the Afro-American movement increase the number of their friends and allies in Africa, Asia and Latin America. Together with the peoples of the three continents, the Afro-American people will march forward unconditionally. Their determined fight will not be checked by tanks or army troops or the so-called National Guard. The level of consciousness and organization reached by the Afro-

American people in their struggle are beyond their ultimate vision.

The Afro-imperialists, bent on maintaining the Afro-American masses oppressed in Africa, Asia and Latin America. The peoples of the three continents will continue to follow their leaders until they reach the very foundations of US imperialism. In this endeavor they will strike alongside their Afro-American brothers.

The Executive Secretariat of OAAU, on the commemoration of the IV anniversary of the rebellion of the Watts black ghetto, announces the plan for the physical elimination of the Afro-American leaders and revolutionaries, rejects all the progressive forces in the United States and the world to mediate and demand the release of all the Afro-American fighters and calls upon its member organizations and the revolutionary forces of the world, particularly the progressive forces of the United States, to back resolutely the struggle for liberation of our Afro-American brothers by carrying out concrete actions of support.

We call upon the Afro-American masses to strengthen their unity of action. We are fully aware of the importance of their struggle, for they are striking at US imperialism from inside while we are decapitating it from the outside.

ARMY TRIES

TO KIDNAP GI

Fort Lewis, Washington (JN)—The Army's attempt to kidnap a GI (Garrison) have now failed in kidnapping.

Robert Gilbert, one of the founders of the 1st Black Guerrilla Army, came particularly close to being abducted to Korea this week. Only the strategic presence of a group of vocal civilians prevented him from being unwillingly shipped overseas.

Gilbert refused orders to report to Korea last spring and went AWOL from Ft. Knox. Instead, spending his time traveling around the country building the GI movement. He returned to the Army early in October. "Because I didn't want our fight to stop," two days after he turned himself in to military authorities at Ft. Knox (where the Army had promised they would court-martial him) he was assigned to Ft. Lewis Washington, and placed in the stockade. On Oct. 24 he was told he was going to Korea, and was put on the passenger list for the 10th Air Force. He refused a phone call to his lawyer, who then protested through the proper channels and was assured that Gilbert would not be shipped.

News that Gilbert's name was not withdrawn from the passenger list. That night, Gilbert was taken under armed guard and held in confinement until told he had before his scheduled departure. The Army tried to pressure him repeatedly and attempt to get him onto the plane secretly. But the Army lost the day. A group of civilians from the community, led by the Black Guerrilla Army, and raised an anti-aircraft defense, screaming and yelling for the GI to be set free. (The civilian group organizers had been tipped off by Gilbert's lawyer that he would be boarding the plane.) The Army escorted Gilbert, but raised, into a van. The captive soldier was released away from the Army's stockade and that turbulent plane left for Korea without him.

Gilbert's refusal to fight in Korea stems from a recollection of what his presence there is all about, "I won't allow myself to be used by giant corporations," he says, "which want to make a lot of money in war hot countries." The ever growing war in Korea destroys the same U.S. interests which brought half a

million troops to Vietnam, without understanding why, and money." It's about time this country was run by the people and not just by a few big shots."

Gilbert is still in the Ft. Lewis stockade, and is unable to be shipped again at anytime. His lawyer and other civilians are forbidden to see him. The Army would love to get these Gilbert alone in Korea, away from his civilian lawyer and the American press. The main reason to court-martial him there, and the Korean stockade is even more brutal than those here in the states. Most important, to avoid separate news from the fast growing GI movement here.

With all over the country are beginning to realize that American justice is a myth, that American "freedom" means oppression. The growing GI movement is effective -- so effective that the U.S. High Army is trying desperately to terminate it and its leaders -- with extreme prejudice.

Brothers:

After reading of the suicide of Pvt. David L. Swannson, 23, of New Britain, Connecticut, who was stationed at Fort Dix, New Jersey, I am sending the enclosed material for publication.

I am doing so, because I am convinced that the U.S. Armed Forces is rampant with military criminals who have unlimited power over the lives of the brothers who don the uniform of this decaying society. The suicide of Pvt. Swannson is a classic example of the power these brute-washed brutes wield over the individual from sea and of America to the west, the military ranks of barbarism and fascism, since it is no longer an institution designed to protect the people and the politics of the United States, but has become a brain and grotesque abomination across the entire face of the world, existing only to feed the flesh of oppressed people into the bowels of the earth under the iron hand of imperialism. When a country becomes so greedy and so tyrannical as to destroy human life in such a vicious and ruthless way, that country forfeits the right to expect loyalty and support from the people, for it cannot and does not have the interest of the people at heart.

I cannot scrape the death of Pvt. Swannson as suicide. He was killed by his so-called country, who could make a defender of imperialism and international murder of him -- even at the cost of his own life -- strategically. In a so-called peace and time of peace.

In the case of PFC Jennings, which first came to my attention in the New York Post in the column of James W. Hooton, the same vicious disregard for life is displayed by the military. It is a vicious man-eating machine which must be turned by the people, by whatever means necessary, to stop the murder of persons in the military area across the country and the world ended.

I hope the fate of PFC Jennings was not as hopeless as that of Pvt. Swannson and others of the Fort Dix complex. If it was, however, it is the duty of the people to establish a direct civilian command to all in judgment of the Company commanders and other military elites who are the probable cause of the deaths of soldiers who in some form or another, protest conditions of servitude in the Armed Forces.

ALL POWER TO THE PEOPLE
SLIGHT THE TIME
D. WHITE

CONDITIONS QUESTIONED-- ARMY PIGS OINK

DEPARTMENT OF THE ARMY
Office of the Surgeon General
Washington, D.C. 20315

Major Timothy A. White
401 1/2 Avenue C Avenue
Brooklyn, New York 11238

Dear Major White:

President Nixon has asked that I reply to your recent letter regarding the physical condition of Private First Class Joseph J. Jennings, and his medical qualifications for continued military service and duty in Viet Nam.

Private Jennings is currently at home on leave. He is scheduled to report into Fort Dix, New Jersey the latter part of this month. Due to earlier inquiries I had already telephoned the Post Surgeon, Fort Dix, New Jersey, who has several medical supervisors and personnel assigned to that installation. He assured me that Private Jennings' condition will be thoroughly examined. Also this examination has been completed and carefully reviewed by the consultant staff of this office, a decision will be made with respect to Private Jennings' assignment to that station.

I trust that I have been of assistance. Please rest assured that Private Jennings will receive proper medical care according to his needs. Private Jennings will not be assigned to duties outside the realm of his physical capabilities.

Respectfully,
Edward B. Ingram
Lieutenant General
The Surgeon General

In Vietnam The
Vietnamese People Say

"If The
Enemy Refuses
To Get Out
Annihilate Him"



FT. DIX
COFFEE HOUSE
EVICTION

Fort Dix, New Jersey (JN)—The 1st Black Guerrilla Army (BGA) and other anti-war groups in the community and the local people of the Fort Dix area have organized a campaign to evict the BGA from the Fort Dix area. The organizing efforts of the BGA-Solidarity have hundreds of GIs who are in the Fort Dix area and talk about ending imperialism, and they published the first Black Guerrilla Army (BGA) manifesto of civilians involved in Army base last Oct. 12.

The BGA-Solidarity, however, have received an eviction notice for Nov. 25. The sight of 10,000 people marching on their main street, and the spectre of radicalism and future demonstrations, led the businessmen of the town to pressure the landlord to evict the BGA-Solidarity people.

The BGA-Solidarity is fighting the eviction in court. Their case is being taken by the Progressive and Labor Union.

GI COFFEE HOUSE INQUIRY

Franklin, Ky. -- Many people have been jailed here because of their involvement with the GI Coffee House in Fort Knox, Ky.

Five of them were arrested October 30 for maintaining a "common public nuisance" and failure to comply with military regulations. Their bond was \$500 or \$1,000 for the nuisance charge, and \$500 for the military violation.

The next day four others were cited for contempt, because they refused to answer questions about the coffee house put to them by the Meade County Grand Jury. Circuit Court Judge Murray Beard ordered them kept in jail until they gave satisfactory answers to the questions.

A series of court actions have harassed the organizers of the coffee house ever since they opened it in September. It was also been threatened with, and there have been, other threats of violence.

The coffee house is sponsored by the same group of people who publish FTA at Fort Knox—one of the first two underground GI newspapers. Action was to call for a nationwide sick call for GIs to coincide with the November 13 Bicentennial Action. Both GIs from the base and civilian supporters from Louisville are involved in the coffee house.

The owner of the building took them to court in September and won an eviction. The coffee house sponsors had to post a \$10,000 bond in order to stay in the coffee house pending their appeal of the eviction.

Then 14 people were summoned to testify before the Grand Jury in early October, to determine "if the coffee house had broken any state laws". All of them refused to answer questions about the coffee house, on the basis of Article 11 of the Kentucky Constitution—a provision against self incrimination.

On October 30, six people were indicted on the two charges: the first, Terry Davis and his wife, Kathleen; Dave Postagall, Norman Schaeferborn, Robert Jones, and Tom Jackson, a GI at the base. All had been questioned by the Grand Jury. All but Postagall, who was out of town, were arraigned. The judge said that the only bail

that would be accepted would be cash or Meade County property. They are charged with "maintaining a common public nuisance by willfully, knowingly and unlawfully selling, procuring and permitting the sale and use of alcoholic beverages to civilians and frequenting the coffee house, to the common public nuisance and annoyance of all the good citizens of the Commonwealth of Kentucky, in the neighborhood."

The next day, the Grand Jury asked Judge Beard to cite others for contempt. These indictments of Louisville was the only one given the opportunity to make a statement.

He said he would not answer questions about the coffee house because "I am free people and I am not afraid because of their involvement" with it, and he was unwilling to incriminate himself.

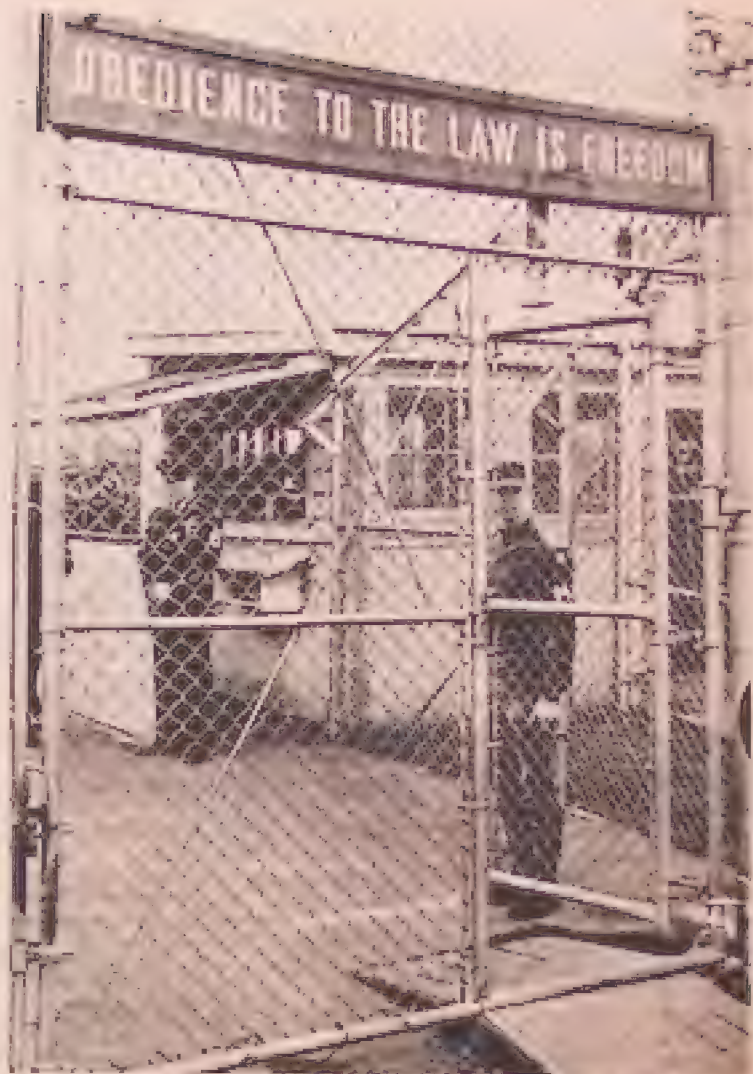
Goldsmith told the court about a firebomb that had been thrown at the coffee house the night before. "I think it's terrible. I think this should be investigated," he said. We respect life. That's why we oppose the Vietnam war and why we opened the coffee house". The judge cut him off.

Wong (a. Larry Shapiro) tried to explain why he would refrain from answering questions about the coffee house. "Now, the purpose of this hearing is not to punish Mr. Shapiro to make a political, propaganda speech. He should be thrown in jail". Jeff Hays, a GI, and Kathy Jackson (whose husband, Tom, had been indicted the day before) were also jailed. The Jackson's 18-month-old child was being cared for by friends.

In the closing moments of the session, the Grand Jury indicted Jackson and Shapiro for drinking an intoxicating beverage in public. "It is a violation to consume."

The judge changed his ruling on bond, under pressure from the state Court of Appeals, to permit the five people indicted to use an out-of-county bondsman. However, three of them said they would stay in jail in protest against excessive bond, until the bail is removed.

Patrons outside the court house over the weekend have drawn supporters from the base and from Louisville.



ENTRANCE TO FT. DIX "FREEDOM" STOCKADE

WHO ARE THE CONSPIRATORS?

STATEMENT OF THE BEAVER '55'

The destruction of the records of the Indianapolis draft board is an attempt to cut off the circulation of the American people the extent to which the government is betraying the rights of justice and freedom embodied in the documents on which this country was founded.

The United States Army has become the instrument by which the interests of corporations are protected, the efforts of the national liberation are thwarted and the military regimes are kept in power. The American war in Vietnam is only one example of military power being used to support a regime which opposes the struggle of a people for social justice and independence. Nixon's promise to end the war in Vietnam is merely a tactical move, it is aimed at pacifying the American people. However, it fails to let in question the recurrent use of military power by the United States Government to protect financial interests and reactionary regimes abroad. The same allocation of human needs to financial interests is followed:

here at home. While cities decay, the air and water resources are irretrievably polluted and the working class is most heavily penalized by taxes, the government spends extravagantly on weapons and continues to pursue the equality with tax exemptions, depletion allowances, and political favoritism.

We call upon the American people to take charge again of their affairs by passing an end to the dictatorship of the military and the rich. This is not the first time that a draft board is destroyed by Americans concerned about the future of the nation. We hope that this action will encourage many others to take all the necessary steps to make this nation a republic of, by, and for the people.

In due time we will reveal our identities. We are not criminals ashamed of our nation. We trust that the American people will vindicate us.

BEAVER '55'

Memphis, Tenn. -- Four Black marines are facing 60 years in the brig, in a conspiracy case unfolding at a naval air station north of here.

The men have been charged with conspiracy, rioting and some 25 counts of unauthorized absence. The charges stem from a clash between White and Black marines on July 21—ten days after a major marine uprising at Camp Lejeune, N.C.

Their trials are scheduled to start November 17. A fifth marine, who was to have gone on trial with them, died under mysterious circumstances October 31.

The men all served in Vietnam. All were wounded, and one was awarded the bronze star. They were brought here to recuperate. After stays in the hospital, they were transferred to the "restal camp" to await court action. . . . in the case of two men—discharged.

The four Marines are: Terry Jackson, 21, Memphis, Miss.; Oscar Terry, 19, Paducah, Ky.; Arthur McCull, 20, Birmingham, Ala.; and Charles Melson, 23, Memphis, Tenn. Joe Tilton, 22, of Singleton, Ia., died while coming to trial.

Black marines here had established a tradition of getting together social evenings to drink, talk and listen to music. It is illegal to drink on the base but they had never been ordered to stop—although it was done quite often.

On the evening of July 20, they drank till about 3 p.m. In a held behind the hospital and then started back. About eight or ten of the men headed toward their barracks, when they were about 20 yards

from the door, they heard someone shout: "Here come these drunken niggers, now."

As they entered the building, they encountered about 25-35 Whites, holding Billy clubs. One man hit Blackstone, who was in front, on the head. Blackstone took the club away and hit back.

Fighting became general, and lasted for 10 to 15 minutes. Blacks were struck on both sides. Then the Black marines went into a nearby bar, the Katholizer, and fighting began there, too. Within 15 minutes it was all over. There were no serious injuries.

Unknown to the Black marines, rumors of an impending Black riot had been circulating in the company since 3 p.m. A White man, Sgt. Rogers, testified that he was told "the colored people were coming to take over the barracks". Rogers said his informant was Cpl. Carthoo, a Black man who had since been promoted to Sergeant.

To deal with this threat, someone used brown handle wooden clubs. Rogers said these were distributed during the afternoon. Thirty-eight men were assigned to security duty—a unusually high number. When the Black marines came back to their barracks, part of this force was waiting for them.

The Black marines and their supporters are asking many questions.

Who were the conspirators? The Black marines—who came back, admittedly drunk, to find a posse of non-commissioned Whites waiting for them? Or the Whites—who had been preparing for a confrontation since 3 p.m., to the extent of having down brown handles?

Why were Black men the only ones questioned and charged, even

though there were fifty as many Whites involved? Why conspiracy charges? If any charge fits the circumstances, surely drunk and disorderly comes closer. And why were they never told to stop drinking on base—even though it was clearly against regulations?

Relations between Blacks and Whites have been tense at this base. The Blacks feel strongly that racial prejudice exists.

"I am Black", one of the four marines said. "I served in Vietnam, in which I was wounded. I faced death many times. Supposed to be fighting for my country. And I come back to the States and I'm treated like the same old drunk nigger that I was supposed to be before I left."

"They don't come right out and say, 'You can't go in this mess hall'. But they do little, petty things."

Black marines are in a small minority at this base and many of them live in more comfortable housing conditions. No one expects to find it remarkable, or sinister, that Whites at the base stick together, too.

"Whenever we get together, they go out of their way to break it up," another of the men said. "Whenever four, five brothers would get together, they'll come up to the group and say, 'Break it up'. Any time they see Black people together, they think we must be trying to plot something. They're up tight."

The trial is scheduled to begin November 17. Support for the marines is building on the base, and to the Black and White communities of Memphis, latter means less.



MRS. PAT AUCH BEING TAKEN TO HOSPITAL AFTER SHE WAS MACE

PLAINFIELD DEFENSE WINS A BREAKTHROUGH

PLAINFIELD, N.J., Oct. 27 — The defense scored a major breakthrough last week when Union County, N.J., prosecutor Lee Kaplowitz dropped one of the three counts in the indictment against Bobby Lee Williams of this city.

Williams, 24, is one of the "Plainfield Twelve," a group of black men and women who were charged with participating in the death of a white policeman, John V. Gleason, on July 14, 1965.

Gail Madden, 24, a mother of two children and George Merritt, Jr., 25, a marine corps veteran are serving life sentences in the New Jersey State penitentiary in the death of Gleason. Their convictions are under appeal.

Charges against nine other black defendants were not sustained during the 1968 trial that was characterized by an atmosphere of racism and repression.

The prosecution dropped the first charge against Williams of "inciting numerous and diverse persons to kill or injure" officer Gleason.

been unconstitutionally applied and that prejudicial pretrial publicity had made it impossible for Williams to get a fair trial in New Jersey.

Prosecutor Whetstone and Dr. David Frost, co-chairmen of the Plainfield Joint Defense Committee for Bobby Lee Williams, Gail Madden, and George Merritt, Jr., agreed that Kaplowitz dropped the "inciting" charge because he feared losing the law as an "antislavery" weapon by having it declared unconstitutional.

Kunzler told a defense rally here last month that Williams was indicted to punish him for refusing to be a prosecution witness in the trial of the 11 defendants that resulted in the convictions of Madden and Merritt.

Williams told the Daily World he had been entrapped into compromising his constitutional rights when he filed a civil suit against the city of Plainfield after he was shot and seriously wounded by Gleason.

Following the unprovoked attack on Williams, an enraged

Welfare Mothers Request "Food" Receive Mace & Brutality Instead!



Des Moines, Iowa (November 2, 1969) The Mothers for Dignity & Justice, headed by Mrs. Katherine Bryson, staged a "Walk-In" of the Iowa Welfare Association Conference (IWA), a 3-day Conference that was hosted by the Blackhawk downtown, Iowa City.

Mrs. Bryson requested (from the delegates of the conference) support: both monetary and material (the mothers were trying to express the urgent need of adequate "Food," "Clothing," & "Decent Housing" for their children.) This request took place at a 3:00 p.m. plenary session where 15 mothers & one father of the group walked in.

While the mothers justified themselves to speak—a matter pushed Mrs. Bryson—trying to keep her from speaking—however she spoke anyway. In the meantime the cops were called in (6 arrived on the scene ready to arrest—later some 20 police cars and 2 paddy wagons—and a total of 80 cops, including FBI and Military Intelligence—to arrest 1 person.) The lead mother pointed out those who were to be arrested—Mrs. Kathleen Bryson was first on the list.

The 6 cops surrounded Mrs. Bryson—while she tried to explain the situation, and also demand the arrest of the father who pushed and scratched her, but to no avail—the so-called civil servants held true to their infamous duty, and began to force Mrs. Bryson, viciously mauling her and placing her under arrest. When Charles Knox, President, Captain—Des Moines, Iowa Chapter—Black Panther Party) approached Sgt. Martin (father of a policeman who was in charge) protesting such oppressive treatment—the mother to stay out of it—then he was jumped from behind and severely maced, pushed around, rights handcuffed and placed under arrest. At this point the father of the other mothers ran out of the room—demanding an immediate end to the infamous action of the cops; but were all overcome by mace.

Another white mother, Mrs. Patricia Auch, was severely maced, then handcuffed and thrown down flat on her face, forced to lay there for more than 20 minutes before the ambulance arrived to take her to the hospital. She received treatment for injury caused by mace. The cops harassed Patricia and her mother, who was at her to and from the hospital. Mrs. Auch remarks: "You didn't know, did you? As one can clearly see, this was certainly an attempt of the cops to divide the Mothers by using that old time favorite of the power structure 'Racism'." Mrs. Auch, mother of a child, tried to mediate, but was refused to let racism divide and conquer their strong struggle for Dignity, Justice & Peace. After her release from the hospital she was later placed under arrest along with Katherine Bryson & Charles Knox.

The charges are as follows:

1. Katherine Bryson, obstructing arrest and interfering with the duties of an officer. Bond set at \$100.00.
2. Patricia Auch, assault & battery, obstructing arrest and interfering with the duties of an officer. Bond set at \$500.00.
3. Charles Knox, assault & battery, resisting arrest, disrupting a public assembly, and interfering with an officer. Bond set at \$500.00.

All persons were released on their own bond. Each person was held for at least 4 hours before release. People (Social Workers, Lawyers & other community people) joined the police department in support of the "detention" of mothers and fathers. The Iowa Welfare Association members refused to demand the immediate release of the prisoners and that the charges be dropped against the 3 victims. People at the conference really got their cream cooked in oppression, injustice and just plain old police brutality (as it happens in the "Colored Areas" of Des Moines) today. Some couldn't believe their eyes, but such is

repression. So poor and oppressed people in Des Moines, Iowa, really a daily occurrence. It is really an appeal to the people to stand up for "Food" & Adequate Shelter in Des Moines. Let's support these victims of MURDER by sending letters or telegrams of protest to the following:

1. Des Moines Human Rights Commission, Lansing, Iowa, East 1st & Des Moines Streets.
2. Mayor Thomas DeLoe, City Hall, East 1st & Locust Street.
3. James N. DeLoe, Vice President Iowa Welfare Association, 328 East 5th Street.

Send carbon copies of letters to: Black Mobile Farm Workers Union.

Arraignment (for trial date) is set between one and November 19, 1969 in Municipal Court—East 1st & Court Street.

Comments: As Justice says: "Laws and rules have always been made to serve people. Rules of courts are not made by people so that they will be able to function in a harmonious way. In other words, in order to promote the general welfare of society, rules and laws are established by men. Rules should serve men, and not men serve rules. Most of the time, the laws and rules which officials attempt to enforce upon poor oppressed people are non-functional in relation to the status of the poor in this society. These officials are blind to the fact that people should not respect rules that 'are not serving them.' It is the duty of the poor to write and construct rules and laws that are in their better interest. THIS IS ONE OF THE BASIC HUMAN RIGHTS OF ALL MEN."

IN LANSING, IOWA GOLE BLACK MOBILE FARM WORKERS UNION. 120 University, Des Moines, Iowa. 50315



BOBBY LEE WILLIAMS

Two charges left Williams still faces the charges of "malicious assault" on the slain policeman, and "assault and battery" on a policeman.

On the count of "inciting" etc. the black young man would have received a seven-year prison term. Williams faces 19 years in prison however, on the two charges that remain.

In a memorandum filed Sept. 16, defense attorneys William Kunzler and George Mutnick argued: 1) that the first count of the indictment was unconstitutional "because it is vague, uncertain, and overbroad and because it is not narrowly drawn to meet legitimate governmental ends;" 2) that all three statutes involved in the indictment had

crowd killed the white policeman. "Because of the deposition which was taken of me in the civil suit," declared Williams. "I was in fact entrapped into compromising my constitutional right not to testify against myself."

Frost and Whetstone promised that the Joint Defense Committee would increase its efforts to have all charges dropped against Williams and to have Merritt and Madden freed.

Financial contributions may be sent to the Plainfield Joint Defense Committee for Bobby Lee Williams, Gail Madden and George Merritt, Jr., 218 Watchung Avenue, PO Box 455, Plainfield, New Jersey 07064.

By CHARLES HIGHTOWER

BREAKFAST SABOTAGE

SEATTLE BREAKFAST SERVES YOUTH



The Richmond Branch of the Black Panther Party, is serving the community by having Free breakfast before school for the children, in order to lift some of the burden that has been placed on the backs of the mothers and fathers of North Richmond, and other Black communities around the nation.

In another attempt to stop the Black Panther Party from showing concern for the masses, the pigs are out to put a halt to the Breakfast Program.

One of the brothers that we feed at the Breakfast, tipped the cadres to the fact that the pigs were going through the various communities telling the people not to let their children attend the Breakfast Program because the Black Panther Party was teaching racism, and teaching the children to riot at school. This brother distinctly told us that the pigs came to his house and told his parents that the Black Panther Party was teaching racism and endorsing riots. His parents simply told the pigs that their son wasn't getting into any trouble, and for them (the pigs) to leave.

Now we can tell from the attendance at the Breakfast, that somewhere the baffoon a-- pigs got over. The Breakfast attendance has fallen from 250 children a week, to 100 to 150.

The children that do attend are very responsive; we can always tell this by how much food they put away. We know, however, that the parents can, and will, stop more children from coming as long as the pigs are allowed to spread racist and fascist propaganda.

We are now in the process of getting leaflets out to the various communities, that will explain the truth to the people about the Black Panther Party; a leaflet that will help get our Breakfast Program running strong once again. We will show the people their REAL enemies. The avaricious businessman, the demagogic politician, and the fascist pig cop.

ALL POWER TO THE PEOPLE!
Joe Cuba,
Richmond Branch, Black Panther Party

Serving the basic needs of the people is the primary task of the Black Panther Party. Implementing socialism within the community is one way of serving the people. The FREE BREAKFAST PROGRAM is very fundamental and much needed in the oppressed communities of Babylon, where oppressed hungry kids have to go to school and learn programmed b---a---t to supposedly make it in this sophisticated, corrupt class society.

In Seattle the problem is the type where the petty bourgeoisie in the Black community do not see the need for such a program. Having started one FREE BREAKFAST PROGRAM, we are desperately reaching out to feed more hungry kids. The petty bourgeoisie don't see the ever growing need, and they influence the churches to refuse to let us use their facilities. What it breaks down to is that the petty bourgeoisie are influencing the church to rape the people and the ministers to pimp the people by metaphysical idealism (God's holy scripture.) The very popular, social church committees are squawking about remodeling their church or about some other insane b---a---t while kids ask the PARTY when are they going to be able to eat. The pimping and the raping of the people by the ministers through God must end. We call on the petty bourgeoisie to miss a Cadillac payment and delay the remodeling of their churches so that hungry, oppressed may eat.

Our first Free Breakfast Program is being served at the Atlantic St. Center-2503 So. Atlantic St. Here the



FEEDING HUNGRY CHILDREN

hungry kids of Colman Elementary Minor area here lies the Mt. Zion Baptist Church and the Good Shepherd Lutheran Church with larger bourgeois congregations; they have also refused the youth. People, Breakfast Programs, like Madrona wake up, be people. Seize the Time, school area, where kids come for the sake of life and humanity. by the office and ask when "Do Something Nigger If You Only are we going to start serving breakfast?"

Here lies the Madrona Presbyterian Church loaded down with a Elmer James Dixon petty bourgeoisie congregation; they have refused the youth. In the T.T. Seattle Branch, Black Panther Party

LIST OF CHAPTERS AND BRANCHES WITH BREAKFAST PROGRAMS

NATIONAL HEADQUARTERS
3106 Shattuck Ave.
Berkeley, Calif. 94705
Off: 431 - 845-0003/4

SAN FRANCISCO, CALIF. 94115
1336 Fillmore St.
Off: 451 - 922-0095

RICHMOND, CALIF. 94801
520 Bissell St.
Off: 451 - 237-6305

OAKLAND, CALIF. 94621
7304 East 14th St.
Off: 451 - 568-3334

LOS ANGELES, CALIF. 90011
415 So. Central Ave.
Off: 213 - 235-4127

LOS ANGELES, CALIF.
Watts Office
Off: 213 - 564-7494

SAN DIEGO, CALIF. 92102
2952 1/2 Imperial
Off: 714 - 233-1470

SEATTLE, WASH. 98122
1127 1/2 34th St.
Off: 206 - 323-6280

EUGENE, OREGON 97401
1671 Pearl
Off: 503 - 342-7256

DENVER, COLORADO 80205
2824 Lafayette
Off: 303 - 255-8486

INDIANAPOLIS, IND. 46205
113 W. 30th St.
Off: 317 - 924-5619

KANSAS CITY, MO. 64123
2905 Prospect
Off: 816 - 924-3205

MILWAUKEE, WIS. 53212
2121 No. 1st St.
Off: 414 - 372-8584

CHICAGO, ILL. 60612
2350 W. Madison
Off: 312 - 243-8276

BOSTON, MASS. 02119
375 Esplanade Ave.
Off: 617 - 427-0693
617 - 442-0100

NEW YORK, N.Y. 10027
3026 Seventh Ave.
Off: 212 - 864-8951
212 - 666-3603

QUEENS, N.Y. 11433
108-00 N.Y. Blvd.
Off: 212 - 523-9717

PERKINSKILL, N.Y. 10566
22 Nelson Ave.
Off: 914 - 737-9768

WHITE PLAINS, N.Y. 10601
159 So. Lexington
Off: 914 - 761-6594

BROOKLYN, N.Y. 11212
180 Sutter Ave.
Off: 212 - 342-3791

PHILADELPHIA, PA. 19121
1928 Columbia
Off: 215 - 236-3353
215 - 236-3358

BALTIMORE, MD. 21213
1209 N. Eden St.
Off: 301 - 645-6853

NEW HAVEN, CONN.
35 Sydan
Off: 203 - 562-7463

SAN FRANCISCO LIBERATION SCHOOL



The children that come to Liberation School which is located at 1642 Ellis Street in San Francisco, come from the Hunters Point area, Double Rock, the Mission District, and the Fillmore District.

The first thing I teach the kids is about the big family and what it is all about. In the big family we do not hit or swear at the brothers and sisters. We are all brothers and sisters because we all are not free. We are all equal because we are not free.

The ages range from two to fifteen years at this time in school. We do not have separate classes because I have found that we can

relate to all kids on one level.

As far as discipline is concerned we discipline them verbally. I understand that it is a battle of one's mind and that you have to conquer their minds and not let them conquer yours. I relate to children only through their minds. I do not relate to them by playing with them. I relate to them by "Education and Revolution". The children learn easily if you know how to relate to them.

They have two meals a day, a brunch and a lunch. If the children live a long distance away we pick them up and take them home. Transportation is the same as the breakfast.



MEDICINE MUST SERVE THE PEOPLE

"The Peoples Free Health Clinic" of the poor people of our community is open to the people of Brownsville manholes, and Brooklyn every Thursday night. The people need health services from 7:30 to 9:30 p.m. at 180 Sutter NOW. The Free Health Clinic will serve the basic needs and desires. **ALL POWER TO THE PEOPLE!**

HUEY'S APPEAL

PART II

EDITOR'S NOTE:

The following article is taken from the appeal prepared by the attorneys defending Huey P. Newton, Minister of Defense of the Black Panther Party. Huey's attorneys have moved to have the case reviewed by the Court of Appeals of the State of California. The Black Panther News Paper will print the appeal in part—every week to give the people all the facts as to why Huey P. Newton should be set free immediately.

2. THE TRIAL COURT WAS REQUIRED TO CONDUCT AN EVIDENTIARY HEARING UPON DEFENDANT'S CLEAR PRE-TRIAL ALLEGATIONS THAT THE PRIOR FELONY CONVICTION WAS CONSTITUTIONALLY INFIRM.

It was fatal error for the trial court to refuse to conduct an evidentiary hearing upon defendant's clear pre-trial allegations that the prior felony, charged and argued by the prosecution in the present trial, was constitutionally infirm.

Defendant moved, prior to commencement of the trial hereinafter, to strike, set aside, expunge, and exclude the prior felony conviction, for declaratory relief, for writ of habeas corpus, for a hearing to determine the constitutional validity of the prior conviction and, in the alternative, for a continuance of the prosecution until relief could be obtained from appellate courts prior to commencement of the trial (C.T. 176-182, 193-195).

All motions were denied, and no hearing was held (C.T. 195, 198). In denying defendant's requests for a hearing and for other relief, the trial court relied solely on the affirmance of the prior conviction by the District Court of Appeal (R.T. 584, et seq.).

The Supreme Court of California has now twice in recent years declared that "the use of a constitutionally invalid prior conviction to impeach testimonial credibility is improper, and, to allow such impeachment is error...of federal constitutional dimension." *People v. Coffey*, 67 Cal. 2d 204, 218 (1967); *People v. Curtis*, 70 A.C. 360, 372-73 (1969); *In re Coffey*, 68 Cal. 2d 762 (1968).

In *Curtis*, the latest of these cases, decided in February 1969, the Supreme Court reiterates the necessity of following the "proper procedure for pretrial consideration of the constitutionality of a prior conviction, by means of a hearing out of the presence of the jury." (70 A.C. at 373). The Court extended its prior rulings to require that a hearing be held out of the presence of the jury where there is any "clear allegation" of the invalidity of the prior conviction at pre-trial or during the trial, and the court extended the area of "allegation" requiring the hearing to a claim of inadequate representation of counsel as well as to a claim of lack of representation of counsel at the prior trial.

In *Curtis*, the defendant did not allege inadequate representation until following his admission of the prior conviction during his direct testimony at the second trial. Nevertheless, the court stated that on retrial (conviction reversed on other grounds), a hearing outside the presence of the jury as outlined in *Coffey* would be the appropriate means of determining the validity of the prior conviction. The court stated:

"That the issue arises during and not before trial, so long as the objection is asserted before the case is submitted to the jury, appears to be without significance." (Id.)

In *Coffey*, a habeas corpus proceeding, the Supreme Court granted the writ with directions to provide an evidentiary hearing as to claimed constitutional infirmities of two prior convictions and to redetermine sentence. The court noted, in footnote 10, 70 A.C. at 372, in *Curtis*, that a defendant is prejudiced both by impeachment and by increased sentence based upon use of the prior conviction.

Coffey involved issues of presence of and token representation by counsel, raising the question of whether "the denial of opportunity for appointed counsel to confer, to consult with the accused and to prepare his defense, could convert the appointment of counsel into a sham and nothing more than a formal compliance with the Constitution's requirement that an accused be given the assistance of counsel." (*Avery v. Alabama* (1940) 308 U.S. 444, 446 (84 L.Ed. 379, 379, 40 S.Ct. 321); see *Powell v. Alabama* (1932) 287 U.S. 45, 53, 71 (77 L.Ed. 158, 162-63, 171-172, 53 S.Ct. 55, 84 A.L.R. 527); *In re Newburn* (1960) 53 Cal. 2d 786, 790 (3 Cal. Rptr. 364, 350 P.2d 118); *Von Moltke v. Gillies* (1948) 332 U.S. 708, 722-723 (92 L.Ed. 309, 320-321, 68 S.Ct. 316); *Jones v. Cunningham* (4th Cir. 1962) 297 F.2d 851, 855, 7' 68 Cal. 2d at 771-72.

Less there be any doubt about the nature of the hearing, the California Supreme Court, in *People v. Coffey*, 67 Cal. 2d at 217-18, laid down a very specific and mandatory five-step hearing procedure for the trial courts to follow. The hearing must consist of the following:

"First, when a defendant, whether by motion to strike the prior conviction or convictions on constitutional grounds, or by denial of such prior conviction or convictions on constitutional grounds at the time of entering his plea to the same, raises the issue for determination, the court shall, prior to trial, hold a hearing outside the presence of the jury in order to determine the constitutional validity of the charged prior or priors in issue. Second, in the course of such hearing the prosecutor shall first have the burden of producing evidence of the prior conviction sufficient to justify a finding that defendant 'has suffered such previous conviction.' (Pen. Code, § 1025.) Third, when this prima facie showing has been made, the defendant shall thereupon have the burden of producing evidence that his constitutional right to counsel was infringed in the prior proceeding at issue. Fourth, if defendant bears this burden, the prosecution shall have the right to produce evidence in rebuttal. Fifth, the court shall make a finding on the basis of the evidence thus produced and shall strike from the accusatory pleading

any prior conviction found to be constitutionally invalid."

The trial court could not, constitutionally, fail to follow the specific remedy mandated by the California Supreme Court in *Coffey* and *Curtis*, et al., i.e., an independent investigation and evidentiary hearing to determine the validity of the prior conviction under contemporary prevailing standards. The defendant was entitled to the benefit of recent decisions overruling the cases upon which the opinion of the District Court of Appeal relied. In addition, the federally protected constitutional rights of the defendant—to counsel, and to a warning of his right not to incriminate himself—could not be foreclosed by a state court decision. "The question of a waiver of a federally guaranteed constitutional right is, of course, a federal question controlled by federal law." *Brookhart v. Janis*, 344 U.S. 1, 4, 86 S.Ct. 1245, 1247 (1966).

The trial court was required to conduct its own investigation and to apply federal constitutional standards to the facts established at the evidentiary hearing. The California Supreme Court opinions requiring such a hearing make no exception for cases where there may be a remote (or recent) appellate opinion. These decisions explicitly recognize that the use of a prior felony conviction, if it is constitutionally infirm under standards prevailing at the time of the trial at which the prosecution seeks to use it, presents a federal constitutional question. *People v. Coffey*, supra, 67 Cal. 2d 218.

Had defendant been accorded the evidentiary hearing required by law prior to the present trial, he would have thus been enabled to present evidence as to his state of mind at the time the court invited him to testify, and his lack of understanding of the procedural consequences.

Certainly the complicated issues of waiver (which involve investigation of the defendant's understanding at the time of the alleged waiver, of what his rights were and of the consequences which would flow from a waiver, and measurement of these findings against the factual requirements of an intelligent waiver) cannot be concluded against defendant, predicated upon a District Court of Appeal decision proceeding *Glaser* and *Bowie*, without even an investigation into the circumstances of the alleged waiver of counsel and the failure to warn of the right against self-incrimination. It is the announced purpose of the *Coffey* and *Curtis* decisions to make that investigation into the circumstances of the prior trial, prior to commencement of the second trial. The California Supreme Court did not merely reverse the convictions in these cases but devised the specific and mandatory remedy of the hearing.

In opening and closing his investigation of the constitutional validity of the prior felony by reliance upon the three-year old opinion of the District Court of Appeal, the trial court deprived defendant of the right to have the question of constitutional infirmity decided (1) on the basis of California and federal decisions issued in the last three years (38) and (2) on a record established by counsel.

FOOTNOTE

30. The case chiefly relied on in the District Court of Appeal opinion in *People v. Mattson*, 51 Cal.2d 777, 795 (1959). Itself holds that:

"(Section 13 of article I of the California Constitution accords to California defendants 'the same right' as is accorded to federal defendants by the Sixth Amendment of the United States Constitution. (*People v. Lanigan* (1943), 22 Cal. 2d 569, 575.)"

Mattson also held that (at page 790, note 5):

"Both federal due process and California law require that waiver of the right to counsel, to be effective, must be with an intelligent appreciation of its consequences. (Numerous citations omitted.) 'Whether there is a proper waiver should be clearly determined by the trial court, and it would be fitting and appropriate for that determination to appear upon the record.' " (Emphasis omitted.)

Mattson, pre-Gideon (*Gideon v. Wainwright*, 302 U.S. 335, 81 S.Ct. 792 (1963)), relied upon *Betts v. Brady*, 316 U.S. 455, 62 S.Ct. 1252, (1942) (specifically overruled by *Gideon*), for its holding that the difference between the right to aid of counsel of defendant's choice and the right to have counsel provided by the state is not a denial of due process or equal protection. In *Mattson*, the court conceded that failure to appoint legal assistance to an indigent defendant who wanted to represent himself did discriminate against the poor, because those able to employ an attorney for advice must be allowed consultation with such an attorney pursuant to Penal Code section 825. The result was permissible before *Gideon*, but no longer.

With the overruling of *Betts v. Brady*, the entire *Mattson* rationale must bear additional examination. *Mattson* concluded with the court's statement that the decision "harmonizes" with federal law on the subject. Now that the federal law on the subject has changed, further restricting the invidious discrimination which will be permitted between rich and poor at criminal trials, both *Mattson* and defendant's prior appeal would be decided differently. Both the *Gideon* right to counsel and the right to be warned of the privilege against self-incrimination have been held to be retroactive. *People v. Coffey*, supra, and *Bowie v. Wilson*, supra.

END FOOTNOTE

Had the questions of whether defendant intelligently waived counsel or whether he was required to have been warned of his right not to testify been determined on the basis of recent law or on the basis of a factual hearing at which defendant, represented by counsel, presented evidence as to his understanding at the time he allegedly waived counsel, the prior felony would clearly have been declared constitutionally infirm with respect to use in the present criminal proceeding.

Thus, the District Court of Appeal concluded that the defendant waived counsel, which the opinion treats as (1) established by the colloquy between defendant and the prior trial court, set forth, supra, and as (2) justification for the failure to advise the defendant of his right not to testify against himself. But the question of whether defendant intelligently and effectively waived his right to counsel at the former trial must be considered in the light of all the circumstances and the presently prevailing federal constitutional decisions on waiver. Had the defendant been



afforded the evidentiary hearing mandated by the California courts, he would have presented evidence as to the circumstances, including a) his lack of understanding as to procedural consequences; b) lack of knowledge that he had the right to consult with counsel as to the choice offered him by the prior trial court; c) lack of knowledge that he could have had the assistance of counsel to present a motion to the prior trial court showing special circumstances and requesting permission for limited self-representation in addition to representation by counsel.

The federal law of waiver today requires that:

"Before there can be a waiver of counsel, the accused must have an understanding of the charge, and the allowable range of punishments under the statute he is charged with having violated." *United States v. Washington*, 341 F.2d 277, 285 (3d Cir. 1965), 9 A.L.R. 3d 448, cert den 382 U.S. 850, 86 S.Ct. 86, reh den 382 U.S. 993, 86 S.Ct. 312. See also *Orfield*, 6 Criminal Procedure Under the Federal Rules, section 44:18, page 77 (1967).

Defendant Newton clearly did not understand the consequences of the prior charge or of the conviction. He thought he had been convicted of a misdemeanor (R.T. 3328).

The federal law also provides that the question of whether there was a valid waiver may be determined in habeas corpus proceedings on proofs outside the record. *Von Moltke v. Gillies*, 332 U.S. 708, 723-24, 68 S.Ct. 316 (1948). (40)

FOOTNOTE

40. In an opinion squarely applicable here, Justice Black said:

"Fourth. We have said: 'The constitutional right of an accused to be represented by counsel invokes, of itself, the protection of a trial court, in which the accused—whose life or liberty is at stake—is without counsel. This protecting duty imposes the serious and weighty responsibility upon the trial judge of determining whether there is an intelligent and competent waiver by the accused.' To discharge this duty properly in light of the strong presumption against waiver of the constitutional right to counsel, a judge must investigate as long and as thoroughly as the circumstances of the case before him demand. The fact that an accused may tell him that he is informed of his right to counsel and desires to waive this right does not automatically end the judge's responsibility. To be valid such waiver must be made with an apprehension of the nature of the charges, the statutory offenses included within them, the range of allowable punishments thereunder, possible defenses to the charges and circumstances in mitigation thereof, and all other facts essential to a broad understanding of the whole matter. A judge can make certain that an accused's professed waiver of counsel is understandingly and wisely made only from a penetrating and comprehensive examination of all the circumstances under which such a plea is tendered."

"This case graphically illustrates that a mere routine inquiry—the asking of several standard questions followed by the signing of a standard written waiver of counsel—may leave a judge entirely unaware of the facts essential to an informed decision that an accused has executed a valid waiver of his right to counsel. And this case shows that such routine inquiries may be inadequate although the Constitution 'does not require that under all circumstances counsel be forced upon a defendant.' *Carter v. People of State of Illinois*, 329 U.S. 173, 174, 175, 67 S.Ct. 216, 218. For the record demonstrates that the petitioner welcomed legal aid from all possible sources; there would have been no necessity for forcing counsel upon her." 67 S.Ct. at 323.

END FOOTNOTE

CONT. NEXT WEEK

FREE HUEY!

October 1966

Black Panther Party Platform and Program

What We Want What We Believe



FREE HUEY

Minister of Defense, Black Panther Party

1. We want freedom. We want power to determine the destiny of our Black Community.

We believe that black people will not be free until we are able to determine our destiny.

2. We want full employment for our people.

We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income. We believe that if the white American businessmen will not give full employment, then the means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. We want an end to the robbery by the CAPITALIST of our Black Community.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules was promised 100 years ago as restitution for slave labor and mass murder of black people. We will accept the payment in currency which will be distributed to our many communities. The Germans are now aiding the Jews in Israel for the genocide of the Jewish people. The Germans murdered six million Jews. The American racist has taken part in the slaughter of over fifty million black people; therefore, we feel that this is a modest demand that we make.

4. We want decent housing, fit for shelter of human beings.

We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

5. We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.

We believe in an educational system that will give to our people a knowledge of self. If a man does not have knowledge of himself and his position in society and the world, then he has little chance to relate to anything else.

6. We want all black men to be exempt from military service.

We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like black people, are being victimized by the white racist government of America. We will protect ourselves from the force and violence of the racist police and the racist military, by whatever means necessary.

7. We want an immediate end to POLICE BRUTALITY and MURDER of black people.

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self-defense.

8. We want freedom for all black men held in federal, state, county and city prisons and jails.

We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

9. We want all black people when brought to trial to be tried in court by a jury of their peer group or people from their black communities, as defined by the Constitution of the United States.

We believe that the courts should follow the United States Constitution so that black people will receive fair trials. The 14th Amendment of the U.S. Constitution gives a man a right to be tried by his peer group. A peer is a person from a similar economic, social, religious, geographical, environmental, historical and racial background. To do this the court will be forced to select a jury from the black community from which the black defendant came. We have been, and are being tried by all-white juries that have no understanding of the "average reasoning man" of the black community.

10. We want land, bread, housing, education, clothing, justice and peace. And as our major political objective, a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them; a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.



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